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JOURNAL

OF

THE COUNCIL,

AT THE

THIRD REGULAR SESSION

OF THE

GENERAL ASSEMBLY,

OF THE

TERRITORY OF NEBRASKA,

BEGUN AND HELD AT OMAHA CITY, N. T.

JANUARY 5th, A. D. 1857:

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JOURNAL

OF

THE COUNCIL.

MONDAY MORNING, JAN. 5, 1857.
2 *o'clock*, P. M.

THIS being the day designated by law for the convening of the third regular session of the Legislative Assembly of the Territory of Nebraska,

The Council temporarily organized by the election of A. A. Bradford, President *pro tem.*

The President having taken the chair, the following officers were elected *pro tem.*

E. G. McNEALY, ...	CHIEF CLERK.
GEORGE GRAVES, ...	ASSISTANT CLERK.
J. SEELY, ...	SERGEANT-AT-ARMS.
PATK. McDONOUGH, . . .	DOOR KEEPER.
—— LEACH, ...	CHAPLAIN.

The officers having entered upon the discharge of their duties, the following communication was received from the Secretary:

SECRETARY'S OFFICE,
January, 5, 1857.

To the Honorable the Council and House of Representatives:

The undersigned begs leave to state that the Treasury department of the United States has disallowed all the payments made to officers of the last General Assembly other than those named in the Organic Law.

The Secretary has paid the same and charged the amount to the Territory, but no further advances will be made of a similar character.

He is authorized to pay one chief clerk, one assistant clerk, one sergeant-at-arms one door keeper, for each House and none other.

Very respectfully,
T. B. CUMING.
Secretary of Territory of Nebraska.

The following persons from their respective counties came forward and presented their certificates as members elect of this Council for the present term.

From the county of Douglas, northern district; A.F. Salesbury, George L. Miller and Samuel E. Rogers.

From the county of Douglas, northern district L. L. Bowen.

From the county of Otoe, A. A. Bradford and Mills S. Reves.

From the county of Cass, S. M. Kirkpatrick.

From the county Nemaha, R. W. Furnas.

From the county of Washington, William Clancy.

From the counties of Washington, Burt, Cuming and the southern district of Douglas jointly; James A. Allen.

From the counties of Richardson and Pawnee jointly, Chas. McDonald. Allen.

From the counties of Dodge, Cass and Otoe, jointly. Jacob Safford.

From the county of Dakotah, A. W. Puett appeared, and not having a certificate of election, was on motion recognized as a member from said county.

Mr. Bowen moved that a committee of three be elected by ballot, on credentials.

Messrs. Miller, Allen and Safford were elected such committee.

The committee having discharged their duties submitted the following

REPORT:

Your committee to whom was referred the credentials of the members of this body, have had the same under consideration, and report the following named persons elected for the present session, to wit:

Mr. William Clancy.
" Robt. W. Furnas.
" George L. Miller.
" A. F. Salesbury.
" L. L. Bowen.
" Saml. E. Rogers.
" Allen A. Bradford.
" S. M. Kirkpatrick.
" A. W. Puett.
" James A. Allen.
" Jacob Safford.
" Mills L. Reeves.
" Charles McDonald.

All of which is respectfully submitted.

GEORGE L. MILLER, Chairman.

On motion,

The report was received and committee discharged.

On motion of Mr. Miller,
Chas. B. Smith, notary public of Douglas county, appeared and administered the oath of office.
The members appeared and took the oath of office.
On motion of Mr. Puett,
John Mellville was elected fireman pro tem.

On motion of Mr. Clancy,
The Council proceeded to elect by ballot, permanent officers for the session.
Messrs Rogers and Reeves were appointed tellers.
Mr. L. L. Bowen was nominated as president of the council, also Mr. S. M. Kirkpatrick, who declined.
The vote being taken, Mr. Bowen received eight votes and Mr. Kirkpatrick three. Mr. Bowen having received a majority of all the votes was declared duly elected.
On motion of Mr. Clancey,
A committee of two were appointed to escort the president elect to the chair. Messrs Furnas and Safford were appointed as such committee.
The president having taken the chair addressed the council in a very appropriate manner, extending his thanks to the Council for the honor conferred upon him in electing him presiding officer of their honorable body.

On motion,
The Council proceeded to ballot for chief clerk.
Messrs. Rogers and Clancy appointed tellers.
Mr. O. F. Lake and Lyman Richardson were nominated.
A vote being taken, Mr. Lake received seven votes and Mr. Richardson five. Mr. O. F. Lake having received a majority of all the votes, was declared duly elected.

On motion,
The Council proceeded to ballot for assistent clerk.
Mr. T. H. Robertson and George Grant were nominated.
The vote being taken Mr Robertson received eight votes and Mr. Grant received five. Mr. Robertson having received a majority of all the votes cast, was declared duly elected.

On motion,
The Council proceeded to ballot for sergeant-at-arms.
Messrs. Safford and Miller appointed tellers.
The following persons were nominated:
Mr. Saml. A. Lewis, G. Seely and Stephen Grow.
The vote being taken, Mr. Lewis received seven votes, Mr. Seely four and Mr. Grow two.
Mr. Lewis having received a majority of all the votes cast, was declared duly elected.

On motion,
The Council proceeded to ballot for door-keeper.
Mr. Patrick McDonough and Henry Brown were nominated.
The vote being taken, Patk. McDonough received seven votes and Henry Brown six.

Mr. McDonough having received a majority of votes cast was declared duly elected.

On motion,

Chas. B. Smith, notary public of Douglas county appeared and administered the oath of office to the several officers elect of the Council.

Mr. Bradford presented the following resolution,

Which was adopted:

Resolved, That a committee of three be appointed to inform the House that the Council has permanently organized, by the election of L. L. Bowen, president; O. F. Lake, chief clerk; T. H. Robertson, assistent clerk; S. A. Lewis, sergeant-at-arms; and Patk. Mc. Donough, door-keeper; and are now ready to co-operate with them in any business pertaining to the Legislative Assembly.

Messrs. Bradford, McDonald and Miller was appointed such committee.

Mr. Rogers moved that the rules of last session of the Council be adopted for the government of the Council until otherwise ordered.

Which was agreed to.

The committee who where appointed to inform the House of the organization of this body reported that they had discharged the duty assigned them.

On motion,

The report was received and committee discharged.

There being no further business, the Council adjourned until to morrow morning at 10 o'clock. A. M.

ATTEST, O. F. LAKE, Chief Clerk.

TUESDAY, JANUARY 6, 1857.

MORNING SESSION.

10 *o'clock, A. M.*

Council met pursuant to adjournment.

President in the chair.

Prayer by the Rev. Mr. Collins.

The journal being read, was corrected,

And approved.

The President announced the following standing committees:

For committee on judiciary, Messrs. Bradford, Safford and Rogers.

" finance, ways and means, Kirkpatrick, Reeves and Furnas.

" education, Safford, McDonald and Miller.

" military affairs; Salesbury, Clancy and Puett.

" highways, bridges and ferries; Furnas Bradford and Kirkpatrick.
" expenditures; Puett, Miller and Furnas.
" incorporations; Kirkpatrick, Salesbury and Safford.
" territorial library; Reeves, Safford and McDonald.
" public buildings; McDonald, Bradford and Allen.
" elections; Allen, Miller and Clancy.
" counties; Clancy, Reves and Allen.
" printing; Miller, Furnas and Allen.
" agriculture; Rogers, Miller and Salesbury.
" engrossed and enrolled bills. Reeves and Puett.

Mr. Miller offered the following resolution,
Which was adopted.
Resolved, that a committee of two be appointed to wait upon the Governo, and inform him that the Council is permanently organized and is now ready to hear any communication he may be pleased to make.
Messrs. Miller and Allen were appointed said committee.
The committee having discharged their duty, appeared and reported that they had seen the Governor, who informed them that it would be his pleasure to meet the Council and House in joint session to day at 12 o'clock, M.
On motion
The report was received and the committee discharged.

Mr. Rogers offered the following resolution,
Which was adopted:
Resolved, that a committee be appointed to report a code of rules for the Council to report at their earliest convenience.
Messrs. Rogers, Bradford and Safford were appointed such committee.

Mr, Allen moved a reconsideration of the vote by which Patrick McDonough was elected door-keeper.
Mr. Miller moved to lay the motion on the table.
The ayes and nays being called, resulted as follows:
Ayes—Messrs. Rogers, Miller, Puett and Salesbury—4.
Nays—Messrs. Allen, Bradford, Clancy, Furnas, McDonald,, Reeves Kirkpatrick and President—9.
So the motion was lost.

Mr. Rogers moved to postpone further consideration of the subject for three days.
The ayes and nays were demanded and resulted as follows:
Ayes—Messrs. Rogers, Furnas, Miller and Salesbury—4.
Nays—Messrs. Allen, Kirkpatrick, McDonald, Reeves, Puett, Clancy, Safford, Bradford and President—9.
So the motion was lost.

Mr. Rogers moved to postpone until the first day of March next.
The ayes and nays were demanded and resulted as follows:
Ayes—Messrs. Rogers, Miller and Salesbury—3.
Nays—Messrs. Reeves, Allen, Kirkpatrick, McDonald, Puett, Clancy, Furnas, Safford, Bradford and President—10.
So the motion was lost.

Mr. Rogers moved to amend so as to read door-keeper and assistant clerk.

Ruled out of order by the chair.

Mr. Miller appealed from the decision.

The ayes were demanded with the following result.

Ayes—Messrs. Rogers Miller and Salesbury—3.

Nays—Messrs Reeves, Kirkpatrick, McDonald Puett, Clancy, Furnas, Safford, Bradford, Allen and President—10.

So the decision of the chair was sustained.

Mr. Rogers moved that the question be indefinitely postponed.

The ayes and nays were called with the following result.

Ayes—Messrs. Rogers Puett, Miller and Salesbury—4.

Nays—Messrs. Reves, McDonald, Kirkpatrick, Clancy, Furnas, Safford, Bradford, Allen and President—9

So the motion was lost.

Mr. Bradford moved the previous question.

The ayes and nays were demanded with the following result:

Ayes—Messrs. Reeves Kirkpatrick, McDonald, Puett, Clancy, Furnas, Safford, Bradford, Allen and President—10.

Nays—Messrs. Rogers, Miller and Salesbury—3.

So the motion prevailed.

The question now recurring on the original motion of Mr. Allen.

The ayes and nays were demanded and resulted:

Ayes—Messrs Reeves, Safford, Bradford, Allen and President—6.

Nays—Messrs. Rogers, Kirkpatrick, McDonald, Puett, Furnas, Miller and Salesbury—7.

So the motion to reconsider was lost.

A committee from the House appeared and reported that the House was permanently organized, and invited the Council to meet with them for the purpose of receiving a communication from the Executive of the Territory.

Mr. Kirkpatrick gave notice that he would on to-morrow or some subsequent day of the session, ask leave to introduce a bill to incorporate the Chester Salt Company.

Mr. Miller offered the following resolution,

Which was adopted:

Resolved, That it is inexpedient to elect a fireman of the council this session.

Mr. Puett gave notice that he would, on some future day of the present session ask leave to introduce a bill to incorporate the Iowa City and South Pass Railroad Company.

Mr. Kirkpatrick moved that a committee of two be appointed to inform the House that the Council was ready to meet that body in joint session.

Which was agreed to.

Messrs. Kirkpatrick and Salesbury were appointed said committee.

Mr. Miller offered the following resolution,

Which was adopted:

Resolved, That the chief clerk be instructed to procure the necessary printing for the Council until a printer be elected for the session.

The committee who were appointed to inform the house that the Council were ready to meet them in joint session, reported their duty performed.

On motion,

The report was received and the committee discharged.

On motion, of Mr. Bradford the Council proceeded to elect a chaplain for the present session.

Messrs. Rogers and Clancy appointed tellers.

The Council proceeded to ballot with the following result:

Rev. Mr. Leach received two votes,
" " Collins " five "
" " Gaylord " three "
" " Gage three "

Which resulted in no choice.

SECOND BALLOT.

Rev. Mr. Collins received five votes
" " Gaylord " three
" " Gage " four.

No Choice.

THIRD BALLOT.

Rev. Mr. Collins received nine votes.
" " Gage " four votes.

Mr. Collins having received a majority of all the votes cast, was declared duly elected.

On motion of Mr. Kirkpatrick,

The chief clerk was instructed to inform Mr. Collins of his election.

On motion of Mr. Bradford,

The president was instructed to procure a page for the Council at a compensation of not more than one dollar per day.

On motion,

Council took recess until 12 o'clock, M.

AFTERNOON SESSION.

12 *oclock, M.*

President in the chair.

The Council proceeded in accordance with the invitation, to the House of Representatives to have any communication the Executive might choose to make.

The Houses having convened in joint session, his excellency the Governor, by his private Secretary delivered the following:

MESSAGE.

Fellow citizens of the Council and
House of Representatives:

Another year of unexampled prosperity, crowned with the blessings of health, peace, and an ample remuneration to the labors of our people in all the industrial pursuits of life, has passed away; and it is with a heart overflowing with gratitude to the Supreme Ruler of the Universe, for the continued evidences of his protecting care, so signally manifested in the affairs of our beloved Territory, that I, as her Chief Executive, bid you a cordial welcome to the Capitol—recognizing in you the chosen representatives of an intelligent and prosperous community, whose members (under the wise provisions of the much abused Kansas & Nebraska act) are secure in the peaceful enjoyment of all the rights and privileges of a free people—exempt from all interference in their domestic concerns, not warranted by their own consent, and subject to no restraint not imposed by their own voluntary action.

It is to a wise and just appreciation of these sacred privileges, and to their judicious and intelligent exercise by our people, that we must attribute to a very great degree, the proud position which Nebraska occupies among the Territories of this vast republic.

It is written that there are "last who shall be first," and this truth is clearly exemplified in the growth and condition of the twin Territories, brought into existence at the same time, and organized under the provisions of the same common act. While Kansas, (the settlement of which was commenced under far more favorable circumstances than that of Nebraska,) has been torn by internal dissensions, her virgin soil overrun and desecrated by armed and hostile factions, her people murdered and pillaged by roving bands of lawless marauders, betrayed by mercenary demagogues and unprincipled politicians, and her government given up to anarchy and confusion; the people of Nebraska, led by the councils of wisdom and moderation, have succeeded in frowning down all foreign interference, and in resisting the earliest encroachments of domestic difficulty; and in defiance of the open and active skepticism amid which their labors have been prosecuted, have added, in their example, another bright testimonial of man's capacity for self-government to the many which already adorn the annals of the republic. And although we have not been permitted personally to participate in the great struggle for principle, which has just terminated in a manner so deeply gratifying to the friends of constitutional liberty, it has been our privilege to contribute in some degree to that result, by furnishing, in our own example, a weapon to our friends, before which the enemies of popular rights quailed in the contest. And we may boldly assert the doctrine, that under the constitution and laws of the republic, and fully sustained by the verdict of its people, we recognize no power, save that of God alone, which may rightfully interfere with or control our domestic concerns. We feel ourselves to be an integral part of the great American confederacy, and that although our lot has been cast on the western bank of the Missouri river, we are not thereby divested of any of the franchises that constitutionally pertain to American citizens. And if our co-operative efforts are so far successful as to secure to us an exercise of that liberality on the part of Congress, to which we think we have established many and just claims, we will in a few years

evince to the world, by adding another star to the bright constellation of States, that Americans, in their march westward, lose neither the privileges of a free people, nor the capacity to exercise them.

No citizen of Nebraska can look around him and contemplate the unexampled degree of prosperity which has crowned the efforts of our infancy, without feelings of the profoundest gratitude and satisfaction. And when we reflect that but two short years have passed since Nebraska, (almost unknown except by name) was a vast uncultivated and unsettled region, with scarcely a mark to indicate that civilization had reached its borders, its present condition almost startles us with the conviction, that the hand of magic, rather than the enterprise of the pioneer, has wrought the change. We cannot boast of a population of more than 15,000 intelligent, orderly, and energetic citizens, who may challenge comparison with those of any State or Territory in the Union of flourishing towns and prosperous cities, with their handsome church edifices, well regulated schools, and busy streets; of our broad and beautiful prairies, being thickly dotted with comfortable farm-houses and well-cultivated fields, yielding their rich treasures to the hand of peaceful industry. The appreciation of property has far exceeded the expectations of the most sanguine. Business lots, upon streets where the wild-grass still flourishes, are readily commanding from $500 to $3,000 each; lands adjacent to our more prosperous towns, sell readily at from $50 to $400 per acre; credit is almost unknown in our business circles; no citizen oppressed for debt nor crippled in his energies by the hand of penury or want; but all encouraged, by the success of the past, look forward to the future with eager hopes and bright anticipations—stimulated to greater efforts and renewed exertion.

It should be borne in mind, too, that all this has been effected during a period in which the country was involved in the most momentous and absorbing struggle through which it has ever passed—when capitalists and business men were deterred by the apparent insecurity of the government from investing their means or engaging in speculative enterprises, and while the large mass of the people of the country were absorbed in the contest. In contemplating what we have already done, and the circumstances under which it has been accomplished, I am led to inquire what we may not expect in the future?

I regard the election of James Buchanan and John C. Breckinbridge to the Presidency of the United States, at this juncture, as not only having cemented the Union of the States, by reassuring the South that her constitutional rights are sacred from invasion, and as having settled forever the great question of Congressional interference in the domestic affairs of the States and Territories, by banishing the vexed question of slavery from the halls of the capitol and committing it for settlement to the hands of the people directly interested in its establishment or prohibition, but as having had a most salutary effect upon the business of the country. Capital and labor alike shrink instinctively from civil comotion. The first breath of angry agitation, awakening apprehensions in the minds of the people as to the permanence and stability of the government, is sufficient in itself to fatally paralyze the business energies of the country, and calculated to arrest for the time, that national growth and progress which so universally attend the reign of political quiet and peace.

It cannot be doubted that the peculiar aspect of the recent campaign has had a tendency to check many enterprises, requiring large outlays of capital

and a series of years for their development, and to cast a consequent gloom over many departments of commercial efforts. But thank God, the success of the Democratic party, with its conservative national principles, in the elevation of such an able, tried and prudent statesman as James Buchanan to the Chief Magistracy of the Union, affording as it does, the most ample and satisfactory assurances of the soundness of the popular sentiment, and of the faithful adherence of the American people to the responsibilities and duties imposed upon them by the constitution, cannot fail to inspire universal confidence in the stability of our government, and to give a new and healthy impetus to all the business affairs of the nation.

Men of capital and enterprise, stimulated and assured by the quiet and repose thus guarrantied to the country, will go in pursuit of new fields for investment, industry and effort, and new vigor and strength will animate and quicken the various departments of commercial trade. And Nebraska, with wise and prudent legislation upon your part, occupying as she does, a central position between the Atlantic and Pacific coasts, and on a direct line of communication between them, with her salubrious climate, her fertile soil, her driving, energetic people, with three of the most important railroads in the west being rapidly pushed forward towards her eastern border, cannot fail to reap a large share of the rich blessings of prosperity and peace which await our common country.

Preparatory to the reception of the immense tide of emigration and wealth that is destined to flow into our Territory at the opening of spring, from all sections of the country, it is your duty, and your common constituency have a right to expect, that you will adopt at an early day, a wise and judicious system of legislation for the security of persons and property, the encouragement of education, and the protection and elevation of the morals of our people.

The rise and progress of all human governments admonish us of the truth of the saying, that "Righteousness exalteth a nation, but sin is a reproach to any people."

The adoption of a plain, just and equitable system of statutory law, is, in my estimation, the first and most important step towards laying the foundation of permanent prosperity in any community. By reference to our present statutes they will be found defective in many important respects, incongruous and difficult of comprehension. It is your province to apply the remedy.

Men of capital and enterprise will not make investments and devote their time and energies to those works of internal improvement so necessary for the speedy development of our natural resources, and for the settlement and building up of the country, unless ample protection is afforded them, by legal enactment, for the capital invested and the labor employed. I would therefore recommend that you take up that portion of the code reported by the modifying committee at the last session of the Legislative Assembly, and not acted upon by it, revise where revision seems necessary, and pass it. I am satisfied it is the best that can be done at this time. Although not as perfect as we could desire, yet I think it is sufficiently so to answer all practical purposes at present, and may be amended or added to as time and experience may show the necessity therefor. Should you in your wisdom decide to adopt the course suggested above, I would respectfully advise the repeal of conflicting statutes.

Nothing in my judgment, commends itself with more force and propriety, as an essential element of prosperity and strength in any government, than

the adoption of a wise and equitable system of revenue, one which will produce an amount sufficient to meet the public demands, without operating oppressively or unequally upon the people. Notwithstanding the general government bears the heaviest part of the burden in defraying the expenses of our Territorial Government; yet there is a class of expenditures not thus provided for, which it is the duty of the present Legislature to make some adequate provision to meet. As indicated in my last annual message, our present revenue laws are not only extremely loose and vague, but defective to such an extent as to render them wholly inadequate to accomplish the ends designated by their enactment. The consequence is, that a heavy public debt is fast accumulating, which, if suffered to remain unprovided for, will soon rest like an incubus upon the energies of our people, and greatly embarrass our fiscal concerns. For the necessary information relative to the amount of the debt already accumulated I respectfully refer you to the report of the Auditor and Treasurer, herewith transmitted. You cannot fail to perceive at a glance the necessity for prompt and judicious action in the premises.

It is within your power, by the adoption of a proper system of legislation upon this subject, to place the fiscal affairs of our Territory upon a sure and permanent basis. I trust, therefore, you will not fail to give the subject that consideration its importance demands, by a reference of the whole matter to an appropriate committee, with instructions to investigate it thoroughly, and report at an early day of the session, a bill that will ensure a new revenue sufficient to meet all current demands.

In the adoption of a system of revenue, allow me to suggest, that the Legislature should enumerate the several kinds of property subject to taxation; fix the amount to be collected for Territorial purposes, leaving the assessments for county purposes to the discretion of the Probate Judge or Board of County Commissioners of each county; appoint the time when the assessments should be commenced, and returns made to the county clerks of the several counties—whose duty it should be to make out duplicate copies of the tax list of their respective counties, and transmit one copy to the auditor of public accounts, and deliver the other to the county collector—taking duplicate receipts therefor, one to be transmitted to the auditor of public accounts, and the other to be filed in his office. It should be made the duty of the auditor of public accounts, upon the receipt of the copy of the tax list of each county, to charge each collector respectively with the amount due the Territory from his county. The time of accounting and settlement by the revenue officers, for both Territorial and county revenues, should be definitely fixed, under such pains and penalties as will ensure the performance of the duties devolving upon each. All past experience has shown that the public interests in the matter of revenue, cannot be too carefully nor too securely guarded.

In a government like ours, reposing in an eminent degree upon the virtue and intelligence of the people, a general diffusion of knowledge among all classes cannot be too earnestly desired or carefully provided for. A wide spread and effective system of common schools, the immediate influences of which are generally diffused among the masses of society, must ever be regarded as the surest guarranty of civil and religious liberty, and ought to be reckoned as among the first objects a free government should secure to its people. Ignorance, in all ages, has ever been the handmaid of slavery and vice. History teaches us that the enslavement of a people begins where general intelligence and public virtue end. In the establishment of our free

government, our fathers wisely ordained among its first objects, the general diffusion of knowledge among the people. Their example has been followed in the formation of the several State governments, and the establishment of a general system of education is now regarded as an essential element of national safety, and as among the most salutary measures conductive to the public weal. Much of that general prosperity which characterizes us as a people, is due to the generous rivalry thus excited among the several States and Territories, upon the subject of liberalizing and extending the common school system, and to the earnest and well-directed efforts for a general diffusion of knowledge, to which this has led.

In view of the many blessings that are dependant upon the general spread of knowledge, I cannot too strongly urge upon you the duty of at once putting into operation a system of common schools adequate to the rapidly increasing demands of our people. In all the elements of material prosperity we have reason to be abundantly satisfied with our condition; but no degree of wealth, no extent or fertility of soil, no amount of population can compensate us for the want of a good and efficient system of education. Laws, judiciously framed and faithfully administered, are necessary to punish crime, but the intelligence and virtue of the masses constitute the only true basis for its prevention. The present school law is in most respects a good one, but means must be provided to make it effective. It has been usual in the States to levy a tax for this purpose, but in a new country like ours, where the title to all the lands remains in the government, it is not probable that a sufficient amount for the support of a general system of schools could be raised by taxation, without operating too oppressively upon our people. The law itself appropriates all fines arising from a breach of the penal laws, and all funds arising from the sale of water crafts, lost goods and estrays, to school purposes, and confers the discretionary power upon the inhabitants of the several school districts in the Territory, when the same shall be created, to levy a tax for the erection of school houses, and to defray the contingent expenses of the district. The 16th section of the Organic Law set apart sections 16 and 36 in each township for the support of education, and if the benefits intended to be conferred by this donation could be made immediately available, the revenue thus derived, in addition to that arising from the sources above mentioned, might be sufficient to put into operation and maintain a general system of common schools. After our lands come into market, and titles vested in the holders, the difficulties under which we now labor will in a great measure be removed, and the ordinary sources of revenue for this purpose can be resorted to,

I would therefore recommend that you memorialize Congress to take such action at its present session, as may be necessary to place these lands at the disposal of the Legislature at the earliest practicable moment.

In my last annual message I called the attention of the Legislative Assembly to the Literary Institutions chartered at the session of 1855, to wit: the "Simpson University," located at Omaha City; the "Nebraska University," located at Fontenelle, and the "Nebraska City Collegiate and Preparatory Institute," located at Nebraska City. The "Simpson University" has been permanently located and donations to a considerable amount have been received to aid in its erection. I am also informed that some degree of progress has been made by the corporators of each of the others, in in the prosecution of these laudable and important enterprises. A memorial to Congress, praying for a grant of lands for the benefit of these institutions was passed by the

last Legislature, but failed to secure the aid desired. In view of the importance of these enterprises, I would therefore suggest that our Delegate in Congress be requested by resolution, to press the matter again upon the attention of that body, and secure at its present session if possible, a liberal grant of land to each of these institutions.

There is no subject in which the settlers of a new country feel a deeper interest than in an early disposition of the public lands. It is important to this class of our citizens that they should have an opportunity at the earliest day practicable, of perfecting their titles to the lands upon which they have settled. Until this is done, improvements cannot and will not be made, of that permanent character and to the extent which could naturally follow a confirmation of absolute and perfect title to the soil.

Give our settlers an opportunity to possess themselves of their farms in fee, and business of every kind will assume at once a fixed and settled character.

All past experience has shown that few evils incident to the settlement of a new country are more blighting in their effects, or more to be dreaded than doubtful and unsettled titles to the soil. Years of litigation and controversy, of public inquietude and sluggish growth, have not unfrequently followed an early neglect of, and inattention to this subject. This state of things once existed to an alarming extent in my native state (Kentucky) by means of which the peace and happiness of the people were for a long time disturbed, and the progress of general improvement greatly retarded. Some difficulculties of this character have already arisen in our own Territory, but it is believed not more than have attended the settlement of most countries similarly situated.

Time and custom have hallowed the practice of permitting the earliest settlers to make their selections and remain in quite possession of their lands until opportunity is afforded them to pre-empt or purchase them of the government at the minimum price. The government itself has encouraged this practice, and in our Territory, indeed it has invited it. It is so eminently just, that the piineer in a new country should be indemnified in some way for toils and privations thus incurred, that there are but few who feel disposed to rob him of his dear bought home, not unfrequently his all. As an evidence or the justice and tenor of public feeling upon this subject, we have only to refer to the public land sales which recently took place at Leavenworth, in the Territory of Kansas. Those lands belonged to the Indians, for whose benefit they were held in trust by the government, under a treaty stipulated to prevent any settlements from being made thereon. Notwithstanding this, a large number of persons had settled upon and occupied them in violation of the treaty. The sale brought together a large number of persons from all parts of the country, and a greater amount of capital, it is believed, than were ever before concentrated at one land sale, and yet I am informed that not a single bid was made during the whole sale against an actual settler. I entertain the utmost confidence that the same course will be pursued when our own lands are brought into market; and I apprehend that the actual settler, under the assurances thus afforded, may dismiss all fear that his rights will be interfered with by outside bidders.

It is in my judgment a matter of great importance that the lands in the settled portions of the Territory, in limited quantities, should be brought into market without delay for the reasons above indicated and others which might be given. There is no good reason why they should be kept longer out of market. More than two years have elapsed since they were opened

for settlement, and objections which might have been urged with great propriety against an early sale twelve months ago, can have no application at this time. The Register and Receiver of the Land office are now at their posts, ready and anxious to enter upon the discharge of their respective duties; and believing, as I do, that an immediate sale is eminently desirable, I respectfully reccommend that you pass a resolution, earnestly appealing to the President, to issue his Proclamation of sale at an early day.

In this connection I would suggest the propriety of calling the attention of Congress to the subject of the establishment of two additional Land Offices in the Territory—one to be located at some point South of the Platte River, and the other at some point North of the Omaha Reserve. It is imposing too great a hardship upon our people, to require them to travel from one to one hundred and fifty miles to pre-empt or enter their lands. This matter was presented to Congress at its last session, and I understand, met with some favor; but unfortunately for us, was buried amid the rubbish produced by the jarring elements of political strife. It would be well to urge upon our Delegate in Congress the propriety of again bringing this subject before that body at an early day.

In my last annual message I alluded to the policy of establishing a Surveyor General's office for this Territory. The experience of the past year, and the inconveniences and heavy expenses to which our surveyors and others have been subjected, in being compelled to transact business with the present office at a distance of three or four hundred miles, has fully confirmed me in the views I then entertained, and I take this occasion to renew the suggestions made at that time with reference to this subject.

The territorial road from this point to Ft. Kearney, has been surveyed and located under the superintendence of Capt. Dickinson, of the U. S. corps of Topographical Engineers, and a portion of the bridges have been put under contract. I am informed by him that an additional appropriation of some $30,000 will be required to complete the work. I regard the construction of this road as of vital importance to our Territory, and I trust that the sum necessary for its completion will be granted—without which the expenditure already made will answer no valuable purpose. A memorial to Congress, setting forth the facts will no doubt strengthen the application of Capt. Dickinson and aid him materially in obtaining the desired appropriation.

The appropriation of the sum of fifty thousand Dollars, to be applied under my direction in the erection of suitable public buildings, has been fully expended; and although the Capitol is not as far advanced as I could wish, yet all available means have been put in requisition to facilitate its progress; and it is believed that in consideration of the unfavorable circumstances under which we have been compelled to labor, the very best has been done that could have been done. According to estimates carefully made, there are now laid in the walls about 1700 perch of stone, estimated at, 25 cubic feet to the perch, and near fourteen hundred thousand brick. The walls are composed of the best material that could be procured, and the work is done in the most substantial manner. The first and second stories are completed, and the third and last story is well advanced. The iron material for the entire completion of the building, has been purchased and is now on the ground, at a cost of over $20,000. It is believed, that, although the actual cost of the work done, far exceeds the estimates furnished by the architect, it has been done much cheaper than the ruling rates paid by individuals for work of a like nature. The design of the building is an

admirable one, completely adapted in every respect to the purposes for which it is intended, and when finished will be an ornament to the Territory and an object of just pride to her people. Among the many visitors to our city during the past year, from various parts of the country quite a number of them have interested themselves in an examination of the plans of the building and the manner of its execution, and have without an exception been pleased to express their admiration in terms, not only gratifying to our pride, but calculated to stimulate us to renewed efforts for its speedy completion. The wants of the Territory for many years to come have been steadily kept in view in the erection of this building—the capacity and substantial character of which, are in consonance with that design. While no unnecessary expenditure has been made, no necessry one has been neglected, in the prosecution of the work thus far. A further appropriation of $50,000 will be required to complete the work. And in order that you may be enabled, in memorializing Congress upon the subject, to present all the facts, and place the matter in its true light, I respectfully suggest that a committee be appointed to examine the work, with instructions to report at an early day of the session.

I had occasion in my last annual message to urge upon the Legislature then setting, some immediate action with a view to securing an appropriation from Congress, sufficient for the erection of a Penitentiary. The experience of each year serves to convince us of the increasing, although lamentable necessity, for an institution of this kind. So long as there are no adequate provisions for the punishment of crime, so long will offenders go "unwhipt of justice," our laws will be violated, and the persons and property of our citizens preyed upon with impunity. It is unquestionably true that those whose natural dispositions or unbridled passions lead them to the commission of crime, take advantage of our unprotected condition, and law instead of being the safeguard of the citizen, is little better than a dead letter upon the statute book. It must be apparent to all that we have not within ourselves the adequate resources for the erection of a suitable building of this character, and we are therefore urged by every consideration of humanity, and every feeling of interest, to make an earnest appeal to Congress for the needed assistance. Should these efforts fail to secure the aid required, we will be compelled, greatly as the necessity is to be regretted, to resort to some more effective system for the punishment of crime than the one now in force.

At the last session of Congress, a bill was reported making an appropriation of $10,000 for the remuneration of those of our citizens who were engaged during the summer of 1855 in defending our frontier settlements from Indian depredations, but failed to pass. As an act of justice to those who volunteered their services, and gave their time for the benefit of the public, I would suggest that our Delegate be requested to urge the matter upon the attention of the present Congress, and secure the requisite appropriation if possible.

The contract entered into by Messrs. Fisher & Bennet of St. Louis, to furnish books for the Territorial Library, has been complied with on their part as far as they could supply the books enumerated in the list with which they were furnished—a catalogue of which I have caused to be made out, and the same is herewith transmitted for your inspection—by reference to which it will be seen, that there is yet remaining in my hands, an unexpended balance of the original appropriation of $5000, of the sum of nine hundred and

eighty-four dollars and seventy seven cents ($984,77) which will be applied at an early day to the purchase of such books as will make the selection already begun, as complete as possible. The provision in the organic law, authorizing the appropriation for this purpose, confines the use of the Library to the Governor, Secretary, Judges of the Territorial Courts, Attorney General, Marshal and Members of the Legislative assembly, and to such other persons as may be prescribed by law. The powers thus conferred upon you to extend this privilege by Legislative enactment, to such persons, and upon such conditions, as in your judgment may be deemed advisable.

A complete and thorough knowledge of the extent and variety of our mineral resources, is not only desirable, but must be regarded as essential to the proper development of the rich treasures of our soil and the general prosperity of the Territory. To obtain this a geological survey of the Territory, conducted by some one competent to the task, must be made. The attention of Congress was called to the subject at its last session, and an adequate appropriation for the purpose was asked for, but without securing the necessary action. I suggest that that body be again memorialized at the present session, for the appropriation of an amount sufficient to defray the expenses of the desired survey.

The Omaha and Otoe Indians have been removed during the past year, and are now permanently settled upon their respective reserves, and I understand that their condition is much improved. The Pawnees are still inhabiting a portion of the lands ceded by the Omaha to the General Government, to the great annoyance of the settlements in their immediate vicinity. Although their continuance upon the lands of Government, and in immediate proximity to the settlements, has only been signalized thus far by a series of petty depredations, we have reason to apprehend serious difficulties between them and our people during the present year, unless they are speedily removed. I therefore suggest that the attention of the proper authorities be called to the subject.

Our Banks; the chartering of which by the last Legislative Assembly, was considered of doubtful expediency by many of our citizens, have so far worked well. By reference to their annual reports, made to the Auditor and published in conformity with law, it will be seen that they are in a healthy condition, and with proper management, we have reason to hope that they will fully answer the ends for which they were established, and contribute in some degree to the general prosperity of the Territory.

In the discharge of a solemn duty, imposed upon me, as your Chief Executive Officer, I have endeavored, in this brief communication, to give you such information in relation to our public affairs, and the general condition of our territory, as was deemed important, and to call your attention to such subjects of legislation as seemed to demand your consideration and action. There are no doubt many subjects, not alluded to by me, which will suggest themselves in the course of your deliberations, intimately affecting the interests of our people and the good of the Territory at large, in all of which I pledge you my hearty co-operation. In conclusion, I cannot too earnestly exhort you to cultivate a spirit of harmony and conciliation in your councils, and I trust that under the wise directions of an overruling Providence, the result of your deliberations may be such as will best promote the future growth and prosperity of our young and rising community.

EXECUTIVE OFFCE, MARK W. IZARD.
OMAHA CITY, January 3d, 1857.

The Council having resumed their business,
On motion,
Took recess until 3 o'clock, P. M.

AFTERNOON SESSION.

President in the chair.
Mr. Clancy offered the following resolution,
Which was agreed to.
Resolved that the chief clerk be hereby authorized to procure four thousand copies of the Governors message, printed for the use of the Council.

Mr. Safford offered the following resolution,
Which was agreed to.
Resolved, That a select committee of three be appointed by the President of this body, to take into consideration the expediency of relocating the seat of government of Nebraska Territory, with instructions to report at their earliest convenience by bill or otherwise.
Messrs. Safford, Kirkpatrick and Clancy were appointed said committee.
Mr. Puett, offered the following resolution,
Which was adopted.
Resolved, That a committee of two be appointed to confer with a like committee on the part of the House to draft joint rules for the two Houses.
Messrs. Puett and Salesbury were appointed said committee.
The following notices of bills were presented and read.
By Mr. Allen:
I hereby give notice that I will on some future day of the session, introduce a bill to erect the southern election district of Douglas county into a new county by the name of Omaha, with Bellevue as the county seat.
By Mr. Reeves:
I hereby give notice that I will on to-morrow or some future day, introduce a bill to locate and establish a territorial road from Nebraska and Kearney City landing in Ottoe county to Brownville, Nemaha county. Also a bill to establish a ferry across the Platte River at Cedar Island in Cass county.
By Mr. Clancy:
I hereby give notice that I will on some future day introduce a bill to establish the north line of Washington county. Also a bill for a Bank Charter, to be located at Desoto, Washington county and to be called the Desoto Bank.
By Mr. Kirkpatrick:
I hereby give notice that I will on to-morrow or some future day ask leave to introduce a bill for the erection of a new county to be called ———. To be created out of a portion of the Counties of Clay and Lancaster.
By Mr. Bradford:
I hereby give notice that I will on to-morrow or some future day, introduce a bill for an act to provide for defraying the expenses of taking the census of Nebraska, as provided for by an act of the Legislature of Nebraska, approved January 26 1857.

Mr. Miller Offered the following resolution:

Resolved, That the chief clerk be, and is hereby instructed to procure five copies of each of the papers published in Nebraska for each member of the Council and chief clerk.

Which was adopted.

Mr. Bradford moved that a committee of two be appointed to confer with the secretary of the Territory and post-master, in relation to postage and the payment thereof.

Which was agreed to.

Messrs. Bradford and Miller were appointed such committee.

On motion,

Council adjourned until to-morrow 10 o'clock.

ATTEST, O. F. LAKE, Chief Clerk.

WEDNESDAY, JANUARY 7, 1857

MORNING SESSION.

Council met pursuant to adjournment.

Prayer by the Chaplain.

Journal read and approved.

Mr. Kirkpatrick introduced the memorials of T. F. Allen and others for an act to incorporate the Pacific Railroad company,

Which was read, and

On motion,

Referred to committee on Incorporations.

Mr. Bradford chairman of committee on Postage, reported that they had called upon the Secretary who informed them that the postage of the members of the Council will be paid by him, out of the contingent fund of the General Assembly, and that he will furnish the post-master with a list of the names of the members of the Council and direct the payment of their postage.

On motion,

Report was accepted and committee discharged.

On leave Mr. Clancy moved a reconsideration of the resolution by which the chief clerk was instrucetd to procure four thousand copies of the Governors' message.

Which was agreed to.

Mr. Rogers moved to amend by striking out "four thousand" and inserting "one thousand."

Mr. Miller moved to amend by inserting "two thousand."

Which, on a division, was carried.
Question recurring on the resolution as amended
It was adopted.

The following notices of bills were presented and read:
By Mr. Puett,
A bill to establish the Bank of Columbus to be located at Columbus, Platte county, Nebraska. Also,
A bill to establish a ferry across the Missouri river at Omadi, N. T.
By Mr. Furnas,
A bill to incorporate the Nemaha county Agricultural society. Also,
A bill to incorporate the Brownville college. Also,
A bill to establish a territorial Road from Brownville, Nemaha county, to Archer, Richardson county. Also,
A bill providing for the payment of the code commissioners and clerks appointed at the first session of the legislative assembly. Also,
A bill to establish a territorial Road from Brownville, Nemaha county, to the Kansas line in the direction of Marysville.
By Mr. Clancy,
A bill legalizing the assesment of Washington county for the year 1856.
By Mr. Salesbury,
A bill for an act to locate a bank at Fontenelle to be called the Clinton Bank. Also,
A bill to incorporate the Nebraska, Salt Lake and Pacific mail stage and express company.
By Mr. Bradford,
A bill authorizing the county commissioners courts to license ferries. Also
A bill to incorporrte the Nebraska insurance company. Also,
A bill to incorporate the town of Marietta.
By Mr. Miller,
A bill to incorporate the Omaha Library association.
By Mr. Kirkpatrick,
A bill to charter the bank of Rock Bluffs at Rock Bluffs, Cass county. Also,
A bill to incorporate the Rock Bluff and Pacific railroad company. Also,
A bill to charter a Ferry at Rock Bluffs in Cass county. Also,
A bill to charter a seminary or college at Rock Bluffs in Cass county.

Mr. Clancy introduced the following bill,
Entitled an act to incorporate the bank of De Soto in Washington county,
Which was read first time.
Mr. Clancy moved that the rule be suspended and the bill be read a second time.
Mr. Rogers objected.

Mr. Kirkpatrick introduced the following bill,
Entitled an act to incorporate the Chester salt manufacturing company
Which was read first time.
Mr. Kirkpatrick moved that the rule be suspended and the bill be read a second time,
Which was objected to.
Mr. Puett asked leave to introduce a bill of which he had jnst given notice.

Which was not granted.
Mr. Reeves introduced the following bills:

Which were read first time,
Entitled an act to locate and estublish a territorial road from Nebraska city and Kearney city landing to Brownville. Also,
A bill to establish and keep a ferry across the Platte river at the Cedar Island in Cass county.

Mr. Clancy introduced the following bill:
Which was read first time,
Entitled an act to establish the north line of Washington county.
Mr. Clancy offered the following resolution,
Which was adopted.
Resolved, That the vice Lieutenant Governor, McComas, of Virginia, be entitled to a seat within the bar of the council.

Mr. Kirkpatrick offered the following resolutions,
Resolved, That John W. Pattisson be admitted to a seat within the bar of the council as reported for the New York Herald and New York Times news papers.

On motion,
Council took recess until 3 o'clock, P. M.

AFTERNOON SESSION.

President in the chair.
Mr. Safford introduced the following resolution,
Which was lost.
Resolved, That the ex-members of the council and house of representatives members of the house snd territorial officers be invited to take a seat within the bar of the Council at pleasure.

Mr. Miller offered offered the following resolution,
Which was adopted:
Resolved, That a joint committee of two be appointed on the part of the council whose duty it shall be to confer with a like committee on the part of the house of representatives in examining, revising, and reporting to the legislative assembly the Code of Nebraska.
Messrs. Miller and Bradford were appointed said committee.

Mr. Reeves presented the following resolutions,
Which was adopted.
Resolved, That the committee on Judiciary be instructed to inquire into the expediency and propriety of increasing the fees of justices of the peace and that they report by bill or otherwise;

Mr. Bradford presented the following notice,

I hereby give notice that I will on some future day introduce a bill for an act to amend an act entitled "an act to exempt the property of married woman in certain cases.

On motion,
Council adjourned until to-morrow morning.
ATTEST: O. F. LAKE, chief clerk.

THURSDAY, JANUARY 8, 1857.

MORNING SESSION.

Council met pursuant pursuant to adjournment.
Prayer by the Chaplain.
Journal read and approved.
Mr. Kirkpatrick presented the petition of W. S. Graff and others, praying for a road from Plattsmouth, Cass County to Powhocco, which was read, and,

On motion,
was referred to committee on High Ways and Bridges.

Mr. Safford, chairman of committee to whom was referred the expediency of relocating the capitol, submitted the following

REPORT.

That they are unanimously of the opinion that the best interests of the Territory, present and future; demand that the capitol be removed from its present locality to some point in the interior. In arriving at this conclusion, your committee have been influenced by so many considerations that they deem it impossible to go into them at length without making their report too voluminous; but which will be well understood by those who have been conversent with the history of our territory from the beginning. Your committee will therefore merely state some of their reasons in as concise and general form as possible.

When the first governor arrived in this Territory, he found but one place entitled to the name of village, even any where north of the Platt river. The town of Bellevue, the first fine town site north of the Platte, was the place where it is well known it was his intention to locate the capital. His death, however left the matter in other hands and the capital was located at its present site.

Your committee are loth to say what influences are universally believed to have been brought to bear in inducing the present location. It is perhaps sufficient for them to say that the people of the territory are by no means satisfied with the location or with the means by which it was located, and still less by the means by which it has been kept there.

Again, the capital as located is not in the centre of our population, or nearly so, as will be seen by the fact that there are only six Representatives north while there are twenty south of Omaha; and this disparity, from the nature of the country will probably not be lessened when we become a state.

Again, it is important to the rapid growth of our population, that the capitol be established at some point at a suitable distance from the Missouri river.

Again, it is manifest to your committee that the appropriations made by Congress for the erection of our capitol building have been expended in a manner to enhance the interest of Omaha City, and to the detriment of the territory, and to the injury of other points, to say the least, equally deserving. That in fact, immense speculations have been made in the whole affair, by the exercise of the public patronage, offices; and that the power thus acquired in conjunction with the public patronage and offices has been and is still operating to force every thing into one channel to the manifest injustice of other points. It would always seem that those having the control of the capitol appropriations are determined not only to impress the public with the idea that this is to be the permanent capitol, but to make it in fact so by the most lavish and unnecessary expenditure of public money.

It will be remembered that the appropriation by Congress for the purpose of erecting a capitol, $50,000; this was deemed, and is in fact amply sufficient for the purpose, if properly applied. But by reference to the Governor's message of Dec. 18, 1855, it will be seen that the Executive indulges in the most pleasing reflections on the magnificense and grandure of the future capitol; challenging in fact the whole architecture of the Union, and at the same time estimating the cost at $79,705.79 which will appear by reference to the Council journal of 1855, pages 6, and 7. At the last session of Congress the Territory failed to get an additional appropriation and now after the elapse of another year we are told by the Executive that it will be necessary to ask of Congress an additional appropriation of ———.

Your committee forbear to give at this time any further reflections on this subject under the belief that under another form the matter will undergo a full investigation. But this much they will say that the object of all this seems manifest; and that they are impressed with the belief that Congress neither will or ought to appropriate one cent to complete the building if it is to cost that sum. But your committee are of the opinion that Congress aught, and doubtless would appropriate $50,000, under the circumstances to a new capital, which will be amply sufficient to erect a capital which will answer every purpose.

Your committee would further state that there are other interests in the Territory that require the fostering hand of general government; among others, universities, colleges, and prisons for the confinement of convicts, &c., &c. But the course of policy heretofore pursued and still recommended absorbs every thing in this enormous building and other interest around Omaha.

For these reasons your committee have been induced to offer the accompanying bill as a part of their report, entitled an Act for the Re-location of the Seat of Government of the Territory of Nebraska.

All of which is respectfully submitted. JACOB SAFFORD, Chairman.

On motion the report was adopted.

The following notices of Bills were presented and read by Mr. Reeves.:
A bill to locate and establish a road from Nebraska City and Kearney City landing, via Hamilton, Tecumseh and Turkey Creek post office, to the south line of the territory in the direction of Marrysville in Kansas Territory.
By Mr! Furnas:
A bill to establish a Territorial road from Brownville to New Ft, Kearney; also a bill to incorporate the Brownville Lyceum and Literary Association; also a bill allowing farmers and others, the use of certain portions of highways for hedging purposes.
By. Mr. Safford:
A bill regulating the establishment of county roads; also a bill incorporating the town of Salina situated on Salt creek Nebraska Territory.
By Mr. McDonald:
A bill to incorporate the town of salem in Richardson county.

The bill entitled an act to Re-locate the seat of Government, was taken up and read first time.

Mr. Puett offered the following bill, entitled
A bill for an act to incorporate the Bank of Columbus, which was read first time.

Mr. Bradford presented the following bill, entitled
A bill for an act to amend An act to exempt the property of married women from execution, which was read first time.

Mr. Kirkpatrick presented the following bill, which was read, entitled: An act to incorporate the bank of Rock Bluffs; olso a bill to charter a ferry at Rock Bluffs.

Mr. Allen presented the following bill, which was read, entitled: A bill to erect the county of Omaha.

Mr. Furnas presented the following bills, which were read, entitled: A bill for an act to provide for the payment of code commissioners and clerks; also A bill for an act incorporating the Nemaha county Agricultural society.

Mr. Salesbury presented the following bill which was read, entitled: A bill for an act to establish the Clinton bank.

The following bills were taken up read a second time and referred to the respective committies.
A bill to incorporate the north line of Washington county; also A bill to establish a ferry across the Platte river at Cedar Island; also A bill to establish a Territorial road from Nebraska City and Kearny City landing to Brownville also to incorporate the Chester salt manufacturing company; also A bill for an act to incorporate a bank at Desoto Washington county.

Mr. Reeves moved the reconsideration of the vote by which the ex-members of the Assembly, the members of the House and Territorial officers were excluded from a seat within the bar of the Council.
Which was agreed to.

Question recurring on the adoption of the resolution, it was adopted.
On motion,
The Council adjourned until to morrow, 10 o'clock A. M.
ATTEST, O. F. LAKE, Chief Clerk.

FRIDAY JANUARY, 9, 1857.

MORNING SESSION.

Council met pursuant to adjournment.
Prayer by the Chaplain.
Journal read and approved.
Message from the House.

HOUSE OF REPRESENTATIVES,
January 9, 1857.

Mr, President:
I have to inform your honorable body that the House of Representatives has passed the following joint resolution relative to public printer, and respectfully ask the concurrence of the Council.

J. H. BROWN, Chief Clerk.

The following notices of bills were received and read.
By Mr. Furnas:
A bill entitled An act to incorporate the Sauntee land and ferry company, and for other purposes therewith connected.
By Mr. Miller:
A bill entitled An act to establish the Running Water bank, to be located near the mouth of the Leau-qui-court river; also a bill for an act entitled An act to incorporate the bank of St. Jonhs to be located at St. Johns; also a bill entitled An act to charter the bank of Logan to be located at Logan; also a bill entitled An act to charter the bank of Crockwell to be located at Dakotah; also a bill entitled An act to incorporate the bank of Omadi, to be located at Omadi; also a bill entitled An act to charter the bank of Decatur to be located at Decatur; also a bill for An act to charter the bank of Tekamah, to be located at Tekamah; also a bill for An act to charter the bank of Washington to be located at Cumming City; also a bill entitled An act to charter the bank of General Interest, to be located at Desoto; also a bill entitled an act to charter the bank of Territorial Security to be located at Golden Gate; also a bill entitled an act to charter the Rocky Mountain bank, to be located at Fremont; also a bill entitled an act to charter the bank of Christopher, to be located at Columbus; also a bill relative to the assignment of insolvent debtors; also a bill entitled An act relative to co-partnership.

The following bills were introduced and read first time.

By Mr. Reeves:

A bill entitled An act to establish a Territorial road from Nebraska City to the south boundary of the Territory.

By Mr. Furnas:

A bill entitled An act to establish a Territorial road from Brownville to Archer, Richardson county.

A bill entitled An act to encorporate the Missouri river and Pacific rail road company.

By Mr. Puett:

A bill entitled An act to establish a ferry across the Missouri river at Omadi.

By Mr. Safford:

A bill entitled An act to incorporate the town of Salem on Salt Creek.

Mr. Miller moved that a committee of two be appointed to confer with the secretary to ascertain if the printing of all bills would be paid for by the general government.

Which was agreed to.

Messrs. Miller and Kirkpatrick were appointed such committee.

Mr. Kirkpatrick, chairman of committee on incorporations on leave submitted the following,

REPORT.

Your committee on incorporations to whom was referred a bill to charter a bank at Desota in Washington county, would respectfully report that they have considered the same and report it back to the Council and recommend its passage without amendment.

S. M. KIRKPATRICK, Chairman.

Mr. Salesbury gave notice that he would present a minority report.

Mr. Miller, chairman of the select committee appointed to confer with the secretary in relation to printing, reported that they had conversed with the secretary who informed them that a reasonable amount would be paid by him for printing of bills and other documents.

On motion,

The report was received and the committee discharged.

The following Bills were taken up read a second time and referred to their respective committies:

A bill entitled An act to erect the county of Omaha.

A bill entitled An act to incorporate the Nemaha county Agricultural Society.

A bill entitled An act to provide for the payment of code commissioners and clerks.

A bill entitled An act to re-locate the seat of government, was taken up and read a second time.

On which Mr. Rogers moved the bill be referred to committee on expenditures.

The ayes and nays were demanded and resulted as follows:

Ayes—Messrs. Miller, Puett, Rogers and Salesbury—4

Nays—Messrs. Allen, Bradford, Clancy, Furnas, Kirkpatrick, McDonald, Reeves, Safford and President—9

So the motion was lost.

Mr. Rogers moved that the bill be referred to committee on Judiciary.

The Ayes and Nays were demanded and resulted:

Ayes—Messrs. Miller, Puett, Rogers and Salesbury—4

Nays—Messrs. Allen, Bradford, Clancy, Furnas, Kirpatrick, McDonald, Reeves, safford and President—9.

So the motion was lost.

Mr. Miller moved to refer the bill to committee on agriculture.

Mr. Bradford moved to lay the motion on the table.

The ayes and nays were demanded and resulted:

Ayes—Messrs. Allen, Bradford, Clancy, Furnas, Kirkpatrick, McDonald, Reeves, Safford and President—9

Nays—Messrs. Miller, Puett, Rogers and Salesbury—4.

So the motion was laid on the table.

On motion,

Council took recess untill 3 o'clock P. M.

AFTERNOON SESSION.

President in the chair.

Message from the house.

HOUSE OF REPRESENTATIVES,
January 9, 1857.

To the President of the Council:

I am instructed to inform your honorable body that Messrs. Hane and Holloway have been appointed a committee on the part of the House, to confer with a like committee on the part of the Council to report "A code of Nebraska;" and that Messrs. Finney and Stickland have been appointed a committee on the part of the House to confer with a like committee on the part of the Council, to prepare and report joint rules for the government of the two houses.

J. H. BROWN, Chief Clerk.

Mr. Bradford moved that the bill under consideration be referred to committee of the whole house.

Mr. Miller moved to amend by making the bill the special order of to-morrow at 2 o'clock.

Which was lost.

Question recurring on the motion,

It was agreed to.

Mr. Kirkpatrick in the chair.

The committee rose, reported back the bill without amendment, and recomended its passage.

On motion of Mr. Bradford,

The bill was ordered to a third reading to-morrow.

The ayes and nays were ordered and resulted as follows:
Ayes Messrs. Allen, Bradford, Clancy, Furnas, Kirkpatrick, McDonald, Reeves and Safford—8
Nays. Messrs. Miller, Puett and Rogers—3
So the motion prevailed.
On motion,
The President was excused from voting.

Mr. Clancy, chairman of the committee on counties submitted the following,

REPORT:

Your committee to whom was referred (C bill No. 7) for the permanent location of the northern boundary of Washington county, have had the same under consideration, and unanimously recommend its passage wifh the following amendment: in the fifth line of the first section, strike out "six miles" and insert "four miles." WILLIAM CLANCY.
Chairman of Committee on Counties.

On motion,
The report was received and the bill ordered to a third reading to-morrow.

On leave,
The following notice of a bill was introduced and read,
By Mr. Puett:
A bill entitled An act to establish a Territorial road from Omadi in the county of Dakotah, to the mouth of the Running Water, by the way of Logan, St. Johns, Puncah City and the mouth of the little Bow River.

Mr. Miller introduced the following resolution,
Which was adopted.
Resolved, That the chief clerk be, and he is hereby instructed to procure the printing of —— copies of all bills after their first reading, for the use of the members of the Council.

On motion,
The sergeant-at-arms was granted leave of absence until Monday.

On motion,
Council adjourned until to-morrow morning, 10 o'clock A. M.
ATTEST, O. F. LAKE.

SATURDAY, JAN. 10, 1857.

MORNING SESSION.

10 o'clock, A. M.

Council met pursuant to adjournment.
Prayer.
Journal read and approved.
The proceedings of the Contestant Board and other papers relative there-

to, in the case of William P. Loan, contestant of the seat of Charles McDonald, councilman from Richardson and Pawnee counties were presented, and,

On motion laid on the table.

Mr. Bradford presented the petition of E. Esterbrook praying for the payment of services rendered in the prosecution of C. A. Henry, charged with the murder of G. W. Holester and other services connected therewith, which was read and referred to Committee on Expenditures.

Mr. Kirkpatrick, chairman of committee on incorporations, made the following

REPORT:

Your committee on incorporations, to whom was referred C. Bill, No 3, entitled An act to charter the Chester Salt Manufacturing Company, would report, That they recommend to amend the Bill by striking out all of sec. 6, and that the Bill pass as amended.

S. M. KIRKPATRICK,
Chairman Committee.

Mr. Miller introduced the following resolution, which was adopted:

Resolved, That a select committee of three be appointed to take into consideration the expediency of memorializing the Congress of the United States on the subject of the Pacific Railroad Bill now pending in that body.

Messrs. Miller, Puett and Kirkpatrick were appointed said committee.

Mr. Salesbury offered the following, which was adopted:

Resolved, That it is necessary and expedient that the Council employ an enrolling and engraving Clerk for the present session.

Mr. Safford offered the following, which was adopted:

Resolved, That S. W. Cozzens be admitted to a seat within the bar of this Council for a Reporter of the New York Daily News and National Democrat.

On leave Mr. Miller moved to suspend the rule, that the Council might proceed to the election of an engrossing and enroling Clerk.

Which was agreed to.

Mr. Miller nominated Mr. Kempton of Cass county as a candidate for said office.

The vote being taken, Mr. Kempton was declared duly elected by unanimous vote of the Council.

The following notices of Bills were presented and read, to wit:

By Mr. Bradford,

A bill entitled An act to provide for a general banking system; also a bill to provide for the removal of the county seat of Douglas county to Florence.

By Mr. Furnas,

A bill entitled An act providing for a general law under which county or district Agricultural Societies may be formed.

By Mr. Allen,

A bill entitled An act to incorporate a company to costruct a Bridge across the Loup Fork.

H. F. No. 1. "Joint Resolution relative to Public Printer" was taken up and read first time.

On motion, of Mr. Rogers,

The rule was suspended, and the Resolution read a second time and ordered to a third reading on Monday.

Mr. Allen presented a bill entitled An act to legalize the appointment of Charles Marther as the assessor of Washington county for the year 1856, which was read the first time.

Mr. Miller presented a bill entitled An act relative to special copartnership, which was read first time.

Mr. Furnas presented a bill entitled An act to incorporate the Brownville College—read first time.

Council Bill No. 19, entitled An act to establish a ferry across the Missouri river at Omadi was taken up, read a second time and referred to committee on Highways, Bridges and Ferries.

C. Bill, No. 16, entitled An act to locate a Territorial Road therein named was taken up, read a second time, and, on motion, referred to committee on Highways and Bridges.

C. Bill, No. 10, entitled An act to charter a Bank at Rock Bluff was taken up, read a second time and referred to committee on Incorporations.

C. Bill, No. 11, entitled An act to charter a Ferry at Rock Bluff, Cass county, was taken up, read a second time and referred to committee on Highways, Bridges and Ferries.

C. Bill, No. 9, entitled An act to amend an act entitled An act to exempt the property of married women from execution in certain cases, was taken up, read a second time and referred to committee on Judiciary.

C. Bill, No. 20, entitled An act to incorporate the town of Saline was taken up, read a second time and referred to committee on Incorporations.

C. Bill, No. 17, entitled An act to establish a Territorial Road from Brownville to Archer, was taken up, read a second time and referred to committee on Highways, Bridges aud Ferries.

C. Bill, No. 18, entitled An act to incorporate the Missouri River and Pacific Rail Road Company; also,

C. Bill, No. 8, entitled An act to incorporate the Bank of Columbus were taken up, read a second time and referred to committee on Incorporations.

C. Bill, No. 7, entitled An act re-locating the seat of government, was taken up, read a third time.

Question being on the passage of the bill.

Mr. Bradford moved that the main question be now put.

The ayes and nays were ordered and resulted as follows:

Ayes—Messrs. Allen, Bradford, Clancy, Furnas, Kirkpatrick, McDonald, Reeves, Safford and President—9.

Nays—Messrs. Miller, Puett, Rogers and Salesbury—4.

So the motion prevailed.

Mr. Bradford moved that the bill be now passed,

The ayes and nays were ordered and resulted:

Ayes—Messrs. Allen, Bradford, Clancy, Furnas, Kirkpatrick, McDonald, Reeves, Safford and President—9.

Nays—Messrs. Miller, Puett, Rogers and Salesbury—4.

So the bill passed and title agreed to.

C. Bill No. 3, entitled An act to incorporate the Chester salt manufacturing company, was taken up, read a third time, passed and title agreed to.

On motion,

Council adjourned until Tuesday morning, 10 o'clock A. M.

ATTEST, O. F. LAKE, Chief Clerk.

TUESDAY JANUARY, 13, 1857.

MORNING SESSION.

Prayer by the Chaplain.

Journal read and approved.

Mr. Furnas from the committee on High Ways, Bridges and Ferries, to whom was referred a bill entitled An act to locate a territorial road from Nebraska City and Kearney City landing to Brownville; also a bill entitled an act to establish a ferry across the Platte river at Cedar Island, in the county of Cass; having had the same under consideration report the same back to the Council without amendment and recommend their passage.

Mr. Puett from the committee on Engrossed Bills reported Council bill No. 3, correctly engrossed.

The committee on county boundaries and county seats to whom was referred,

C. Bill No. 12, entitled An act to erect the county of Omaha, report that they have examined the same and that the bill should pass and become a law for the following reasons:

First; that that portion of the territory proposed by the bill to be erected into a county, has been in several instances deprived of a representation in the Legislature of this Territory, that the interest of said Territory are in a manner distinct and seperate from other portions, and therefore should have a voice in the territory.

Second; that it is anti democratic to deprive any portion of the Territory of her national rights.

Third; that it is not convenient for people to do their public business where they do their private business, and that Omaha City is an inconvenient place for the people of said district to do their business.

All of which is respectfully submitted.

WILLIAM CLANCY.
JAMES S. ALLEN.
MILLS S. REEVES, Committee.

Mr. Bradford moved that the report be adopted.

Mr Rogers moved to lay the motion on the table.

The ayes and nays were demanded and resulted:

Ayes—Messrs. Miller, Puett, Rogers and Salesbury—4.

Nays—Messrs. Allen, Bradford, Clancy, Furnas, Kirkpatrick, McDonald, Reeves, Safford and President—9.

So the motion to lay on the table was lost.

Mr. Rogers moved the report be referred to the committee an Judiciary.

The ayes and nays were demanded and resulted as follows:

Ayes—Messrs. Kirkpatrick McDonald, Miller, Puett, Rogers and Salesbury—6.

Nays—Messrs. Allen, Bradford, Clancy, Furnas, Reeves, Safford and President—7.

So the motion was lost.

Mr. Miller moved its reference to the committee on Agriculture.

The ayes and nays were demanded and resulted:

Ayes—Messrs. Miller, Puett, Rogers and Salesbury—4.

Nays—Messrs. Allen, Bradford, Clancy, Furnas, Kirkpatrick, McDonald Reeves, Safford and President—9.

So the motion was lost.

Mr. Rogers moved its reference to a select committee.

The ayes and nays were demanded and resulted:

Ayes—Messrs. Furnas, McDonald, Miller, Puett, Rogers, Kirkpatrick and Salesbury—7.

Nays—Messrs. Allen, Bradford, Reeves, Clancy, Safford and President—6.

So the motion Prevailed.

Messrs. Rogers, Allen and Bradford were appointed said committee.

The following notices of bills were introduced and read.

By Mr. Puett:

A bill entitled An act to incorporate the Oak Bluffs town and Ferry company.

By Mr. Clancy:

A bill entitled An act regulating the practice in justice courts in civil cases.

By Mr. Kirkpatrick:

A bill entitled An act to revive an act entitled an act to locate a territorial road, approved January 25th 1856.

By Mr. Furnas.

A bill entitled An act to amend an act incorporating the town of Brownville.

By Mr. Safford:

A bill entitled An act amendatory to an act to authorize religious societies to elect officers and hold property, approved January 26th 1856; also a bill entitled An act to charter the Bank of Dakotah to be located at Dakotah.

By Mr. McDonald:

A bill entitled An act to provide for the permanent location of county seat of Richardson county.

By Mr. Puett:

A bill entitled An act to repeal An act locating the county seat of Dakotah county at Dakotah City in said county.

By Mr. Kirkpatrick:

A bill entitled an act to authorize G. W. Hunt and his associates to erect a mill dam across the south branch of the Weeping Water in Cass county.

On leave,

Mr. Bradford introduced C. Bill No. 24, entitled an act to repeal sec. 3 of code of Nebraska, chapter third, entitled "corporations" which was read first time.

Mr. Allen on leave introduced C. Bill No. 25, entitled An act to incorporate the South Fork bridge company which was read.

Mr. Puett introduced C. Bill No. 26, entitled an act to incorporate the Oak Bluff s town and ferry company which was read first time.

Mr. Furnas introduced C. Bill No. 27 entitled An act for the encouragement of hedge fences in Nebraska.

C. Bill No 21 entitled an act to legalize the appointment of Chas. Marther as the assessor of Washington county for the year 1856, was taken up, read a second time and referred to committee on judiciary.

C. Bill No 23, entitled An act to incorporate the Brownville college was taken up, read a second time and referred to committee on education.

C. Bill No. 22, entitled An act relative to special copartnership, was taken up, read a second time, and referred to committee on judiciary.

H. F. No. 1. joint resolution relative to public printer was taken up, read a third time, passed, and on motion, title agreed to.

C. Bill No. 6, entitled An act to establish the north line of Washington county; also,

C. Bill No. 4. an act to locate and establish a territorial road from Kearney and Nebraska City landing to Brownville, were taken up, read a third time, passed, and title agreed to.

C. Bill No. 2, entitled An act to locate a bank at De Soto Washington county, was taken up.

Mr. Allen moved that the bill be made the special order of to-morrow at 10 oclock.

Mr. Clancy moved to lay the motion on the table,

Which, on a division was lost.

Question recurring on the motion of Mr. Allen,

It was lost.

Mr. Clancy moved that the bill now pass.

The ayes and nays were ordered and resulted,

Ayes Messrs. Allen, Bradford, Clancy, Furnas, Kirkpatrick, Reeves, Safford, Salesbury and President—9.

Nays—Messrs. McDonald, Miller, Rogers and Puett—4.

So the bill passed, and,

On motton,

Title agreed to.

C. Bill No. 5, entitled An act to establish and keep a ferry across the Platte river at Cedar Island in the county of Cass, was taken up, and,

On motion,

Referred to a select committee consisting of

Messrs. Kirkpatrick, Reeves and Puett.

On motion,

Council adjourned until to-morrow at 10 o'clock A. M.

ATTEST, O. F. LAKE, Chief Clerk.

WEDNESDAY, JANUARY 14, 1857.

MORNING SESSION.

Council met pursuant to adjournment.

Prayer by the chaplain.

Journal read and approved.

Mr. Puett introduced a memorial and joint resolution relative to the organization of a new Territory north of 43 degrees of latitude, to be called the "Yellow Stone."

Mr. Puett moved that the memorial and joint resolution be referred to a select committee.

Which was agreed to.

Messrs. Puett, Rogers and Reeves were appointed said committee.

Mr. Puett, chairman of committee on Expenditures submitted the following

REPORT:

Your committee to whom was referred the petition of E. Estabrook, have had the same under consideration, and respectfully report the following bill:

C. Bill No. 29, a bill entitled An act for the relief of Experience Estabrook.

A. W. PUETT, Chairman.

On motion,

The report was accepted.

Mr. Kirkpatrick, chairman of the select committee to whom was referred C. Bill No. 5, entitled An act to establish and keep a ferry across Cedar Island in Cass county, respectfully report,

That they have had the same under consideration, and recommend that the bill pass with the following amendments:

First—Fill the blank in section one with "G. W."

Second—Strike out "three" where it occurs in section two, and insert "two."

Third—Add the following to section six:

Provided; that the county commissioners of Cass county may change said rates so as to make the same correspond with the rates allowed at other ferries in said county.

All of which is respectfully submitted.

S. M. KIRKPATRICK, Chairman.

Mr. Safford, chairman of committee on Education, to whom was referred,

C. Bill No. 23, a bill entitled An act to incorporate the Brownville college, have had the same under consideration, and report the bill to the Council with the following amendment:

In the first and second lines of sec. one, strike out "House of Representatives and Council," and insert the words "Council and House of Representatives," and recommend its passage as amended.

All of which is respectfully submitted.

JACOB SAFFORD, Chairman.

Mr. Kirkpatrick, chairman of committee on Incorporations respectfully report that they have examined the bill entitled An act to incorporate the Central Pacific Railroad company and recommend its passage with the following amendment:

Insert "Geo. B. Dickinson" as one of the incorporators.

Also, C. Bill No. 18, entitled An act to incorporate the Missouri river and Pacific railroad company; also,

C. Bill No. 20, entitled An act to incorporate the town of Salina, and respectfully recommend their passage without amendment.

S. M. KIRKPATKICK, Chairman.

Mr Bradford, chairman of committee on judiciary to whow was referred,

C. Bill no 21, entitled An act to legalize the appointmenr of Chas. Marther,

asthe assessor of Washington county, for the year 1856, have had the same under consideration and recommend its passage without amendment.

The following notices of bills were presented and read.

By Mr. Clancy:

A bill entitled An act to incorporate the Nebraska land and emigration company; also a bill to locate a Territorial road from Cuming City in Washington county, to Fontinelle in Dodge county.

By Mr. Allen:

A bill to locate a Territorial road from Bellevue via. Iron Bluffs to Freemont; also a bill for a road from Bellevue to Elk Horn City; also a bill to incorporate the National, bank at Bellevue.

By Mr. Salesbury:

A bill entitled An act to desolve the bonds of matrimony existing between Nelson Alloway and Harriet Alloway his wife;, also a bill to change the name of Harriet Alloway to Harriet Knouss.

By Mr. Safford:

A bill for the incorporation of the town of Lawrence, Gage county.

By Mr. Bradford:

A bill to incorporate the Judson University.

By Mr. Kirkpatrick:

A bill to charter the Bank of Plattsmouth at Plattsmouth in Cass county.

By Mr. Rogers:

A bill entitled An act to establish and keep a ferry across the Missouri river at Calhoun City.

By the President:

A bill to establish the county of Ne-o-brarah; also a bill to establish the Leau-qui-court company.

The following bills were taken up and read a first time:

C. Bill No. 29, entitled an Act to incorporate the Lancaster salt manufacturing company.

C. Bill no 30. entitled An act for the relief of Experience Estabrook.

C. Bill No. 31. entitled An act to amend an act to incorporate the town of Brownville.

C. Bill No. 32 An act to incorporate the Pacific bank of Dakotah.

The following bills were taken up, read a second time and ordered engrossed for a third reading to-morrow.

C. Bill No. 5 entitled An act to establish and keep a ferry across the Platte river at Cedar Island in Cass county.

C. Bill No. 21, entitled An act to legalize the appointment of Chas. Marther as the Assessor of Washington county for the year 1856.

C. Bill No. 18, entitled An act to incorporate the Missouri river and Pacific railroad company; also C. Bill No. 23 entitled An act to incorporate the Brownville college.

C. Bill No. 1, entitled An act to incorporate the Pacific railroad company was taken up, read a second time and ordered engrossed for a third reading to-morrow.

C. Bill No. 24, entitled An act to repeal Sec. 3d, of code of Nebraska, chapter third entitled "corporations;" also, C. Bill No. 26, entitled An act

to incorporate the Oak Bluffs town and Ferry company, was taken up, read a second time and referred to the committee on incorporations.

C. Bill No. 27, entitled An act to provide for the encouragement of hedge fences in Nebraska, was taken up, read a second time and referred to the committee on agriculture.

C. Bill No. 19, entitled An act to establish a ferry across the Missouri river at Omadi was taken up, and ordered engrossed for a third reading to-morrow.

C. Bill No. 25 entitled an act to incorporate the Loup Fork bridge company was taken up and,

On motion,

Recommitted to the committee on High Ways, Bridges and Ferries.

Mr. Safford, on leave, introduced,

C. Bill No. 33, entitled An act to amend an act to authorize religious societies to elect officers and hold property, approved January 26 1856, which was read first time.

On motion,

Council adjourned until to-morrow 10 o'clock A. M.

ATEST, O. F. LAKE, Chief Clerk.

THURSDAY, JANUARY 15, 1857.

MORNING SESSION.

Council met pursuant to adjournment.

Prayer.

Journal read and approved.

The select committee to whom was referred the subject of memorialising Congress on the subject of the Pacific railroad bill now pending in that body, beg leave to report the accompanying joint resolution and memorial, and recommend its passage.

To the honorable the Senate and House of Representatives of the United States of America in Congress assembled:

Your Memorialists, the Council and House of Representatives of the Territory of Nebraska, respectfully represent, that while they concur in the public sentiment which demands, and fully recognize the urgent necessities which require the early construction of a railrord to the Pacific; and while

they regard limited grants of the public domain in aid of individual enterprizes for that purpose as being entirely consistent with sound and conservative views of national policy, the extent to which this policy may be pursued without serious detriment to the public interests, becomes, in their opinion, a question of the highest concern and importance,

It is not the purpose of your Memorialists to adduce arguments in favor of the adoption by Congress of some measure to secure and hasten the early completion of a rail road to the Pacific coast. The vast benefits of such a road, the immediate effect it would have in expanding our civilization, enlarging our commerce, and strengthening our military defenses, are, it is believed, universally admitted, Rightly considered, the passage of a proper measure for this great object would be hailed as a national triumph, and by the large mass of the people, would be justly regarded as the proudest step in our progressive career. But to take this rank, and to be productive of the immense benefits which it is calculated to afford, this great enterprise needs nothing more, in the opinion of your Memorialists, than the exercise of a liberal economy, on the part of the general government, in granting donations of the public lands.

The public domain of our country embraces a magnificent estate, the largest, and, wisely administered, the most beneficent known to the civilized world. It is both a power and a blessing, capable always of exerting a wide influence, both for good and for evil, upon our industrial affairs. Under the existing land system, we present to the world an example, which combines with economy the most enlightened and beneficent philanthrophy, whose wisdom is illustrated in the unparalleled rapidity of our progress as a nation, and the fruits of which are still further exemplified in its salutary influence upon all that concerns the individual interests of the people. A resource so permanent and bountiful in itself, capable of such vast good in furnishing homes to the homeless, increasing our products and opening so many avenues to commercial and other enterprizes, should be surrounded and protected by the most sacred and inviolable guarantees.

Your Memorialists are led to these observations by an examination of the bill now pending in your honorable body, proposing large grants of the public lands to certain private corporations and companies, to aid in the construction of a Pacific rail road.

A cursory examination of this measure will show that while its object is conceded to be of the highest national necessity and importance, the passage of it by Congress in its present form would involve inevitable ruin to the vast regions of unsettled domain which your Memorialists claim, in part, to represent. Should it become a law, it would, in their opinion, transfer from the reach of a settler, and from the possession of the United States, into the hands of a few private individuals, a very large portion of the unsold public lands, embracing nearly every acre of such as is susceptible of productive cultivation, from Puget's Sound on the north, to the Gulf of Mexico on the south.

Passing over the immense grants which are authorized by the first section of this bill directly to certain companies, your Memorialists would beg leave to call the attention of your honorable body to the following provision: "and in all cases where the United States may have disposed of any such lands, or shall from any cause be unable to convey a title thereto, or where such lands shall be condemned by the United States Surveyors as unfit to be surveyed, the deficiency may be made up in like manner, by the party or parties

entitled thereto, from the nearest unoccupied and unappropriated public lands belonging to the United States."

It will be seen by the gigantic grants which are contemplated in this bill, that the enormous aggregate of something near two hundred millions of acres of the public lands are to be placed in the hands of certain private companies, who are empowered by the above provision to reject such as are inferior, and to make up the deficiency by selections from the best lands, in the best regions of country through which they may choose to extend their respective roads. When the fact is considered that a lare area of the country through which they would pass is made up of waste and unproductive soils, and, consequently, such as would be considered as "unfit to be surveyed," it is not difficult to see what the effect of such a measure would be in absorbing the remainder. Indeed the passage of such a law by Congress would, in the opinion of your Memorialists, signalize the birth of a Monster Monopoly, whose unrelenting grasp would hold the dearest and best interests of our industrial population, and throw a lasting blight over the inviting prospect which promises deliverance to hundreds of thousands of the oppressed masses, in the Old world as well as to the New, who are looking for the rewards of honest toil upon these widely extended and fertile domains. Lands whieh are now held under the liberal policy of government, subject to settlement and entry at the minumum price of one dollar and a quarter per acre, would, in the hands of private corporations, be immediately withheld from occupancy and sale, or what would be worse, advanced to the most extravagant valuation. Instead of offering an inducement to the settlement and cultivation of the territorial domain, it would impose an effectual and permanent barrier thereto, and that liberal system under which we have added so largely to our stability and resources as a nation, would be at once converted into a source of untold evil, injury and oppression.

By a further reference to the first section of this bill it will be seen that these immense cessions of land do not, in fact, accomplish the work for which they are to be granted, for the grants for each fifty miles of these roads are absolute, and no obligation is imposed for their extension. The result of such a law would be to postpone indefinitely the consummation of the work, and place the whole interest in the hands of a few men, whose action, it is but fair to presume, would be controlled by considerations of private gain and convenience.

Your Memorialists would respectfully urge upon the attention of your honorable body, the importance of such changes in this bill as will preserve the frontiers against the influence of land monopolists, and secure the great object which it contemplates. Limited grants of the public lands in aid of this work, would, in their opinion, sufficiently stimulate the energies of individual enterprize to carry it forward to an early completion.

Your Memorialists would further ask your honorable body to donate these lands to the Territories, believing, as they do, that the same sound policy which grants lands to States, would apply with equal force to Territories: therefore, be it

Resolved, By the Council and House of Representatives of the Territory of Nebraska, that our Delegate in Congress be, and he is hereby requested to use his best efforts to procure the objects indicated in the above memorial.

Resolved, That the Secretary of the Territory be, and he is hereby requested to forward an attested copy of the foregoing memorial and resolution

to our Delegate, to be presented to the favorable consideration of Congress.

GEO. L. MILLER,
S. M. KIRKPATRICK.
S. E. ROGERS.
Committee.

On motion,
The report was received.

The following notices of bills were presented and read.
By Mr. Allen:
A bill for the observance of the Sabbath, and the protection of religious worship in this Territory.
By Mr. Clancy:
A bill to incorporate the city of Covington in Dakotah county.
By Mr. Salesbury:
A bill for a ferry charter at Golden Gate.
By Mr Safford:
A bill for An act to incorporate the Dodge county Lyceum and Literary Association,
By Mr. Bradford:
A bill for An act to incorporate the St. James and Minesota Ferry company.

The following bills were introduced and read a first time:
C. Bill No. 36 entitled An act to repeal an act locating the county seat of Dakotah county, approved March 7th, 1855.
C. Bill No. 37, entitled An act to establish a Territorial agricultural society.
C. Bill No. 38, entitled An act to locate a Territorial road from Bellevue *via* Iron Bluffs to Fremont.
C. Bill No. 39 entitled An act to locate a Territorial road from Bellevue to Elk Horn City.
C. Bill No. 40 entitled An act to incorporate the National Bank at Bellevue.
C. Bill No. 41, entitled An act to incorporate the Leau-qui-court company.
C. Bill No. 42, entitled An act to establish the county of Neobrarah.
C. Bill No. 45, entitled An act to incorporate the Land and Emigration company.
C. Bill No. 46, entitled An act to locate a Territorial road.
C. Bill No 47, entitled An act to incorporate the Sauntee land and ferry company.

C. Bill No. 43 entitled An act to divorce William Davis and Martha A. Davis; also,
C. Bill No. 44, entitled An act regulating the practice of justice courts in civil cases; also,
C. Bill No. 48, entitled An act for the relief of Harriet Alloway, was taken up, rule suspended, read a second time, and referred to the committee on judiciary.

C. Bill No. 34, entitled An act to locate the Bank of Plattsmouth; also,
C. Bill No 35, entitled An act to authorize John R. Porter, and James S.

Rariden to keep a ferry across the Missouri river at Ft. Calhoun, was taken up, rule suspended, read a second time, and referred to the committee on incorporations.

C. Bill No. 29, entitled An act to incorporate the Lancaster salt manufacturing company.

C. Bill No. 31, entitled An act to amend an act to incorporate the town of Brownville; and,

C. Bill No. 32, An act to incorporate the Pacific Bank of Dakotah, were taken up, read a second time and referred to the committee on judiciary.

C. Bill No. 30, entitled An act for the relief of Experienee Estabrook, was taken up, read a second time and referred to the committee on Expenditures.

C. Bill No. 48, joint resolution and memorial, memorializing Congress on the subject of the Pacific rail road bill now pending in that body, was taken up, read first and second time, and ordered engrossed for a third reading to-morrow.

C. Bill No. 33, entitled An act to amend an act entitled an act to authorize religious societies to elect officers and hold property, approved Jan. 26, 1856, was taken up, read a second time, and ordered engrossed for a third reading to-morrow.

On motion,

Mr. Ward was elected engrossing clerk in the place of William Kempton, resigned.

On leave,

Mr. Salesbury intoduced the following resolution,

Which was adopted:

Resolved, Thai the same privilege be extended to the Chaplain as to the members of the Council, so far as regards news papers and postage.

Mr. Kirkpatrick moved that five hundred copies of the memoriol and joint resolution relative to the Pacific railroad bill now pending in Congress, be printed for the use of the Council.

Which was agreed to.

On motion,

Council adjourned until to-morrow at 10 o'clock A. M.

ATTEST, O. F. LAKE. Chief Clerk

FRIDAY, JANUARY 16, 1857.

MORNING SESSION.

Council met pursuant to adjournment,

Prayer by the chaplain,

Journal read and approved.

Message from the House.

Mr President:

I herewith return (C. bill No. 7) An act to relocate the seat of Government, the same having passed the House without amendment.

J. H. BROWN, Chief Clerk.

On motion Mr. Bradford,

Hon. Charles F. Holley was admitted to a seat within the bar of the Council as reporter for the North West Democrat.

Mr. Clancy moved to adjourn until Monday, morning at 10 o'clock.

Mr. Miller moved to lay the motion on the table.

The ayes and nays were ordered and resulted as follows:

Ayes—Messrs. Furnas, Miller Puett, Rogers, Salesbury—5.

Nays—Messrs. Allen, Bradford, Clancey, Kirkpatrick, McDonald, Reeves, Safford and President—8.

So the motion was lost.

Question recurring on the previous motion, the ayes and nays were ordered, and,

Resulted as follows:

Ayes—Messrs. Allen, Bradford, Clancey, Furnas, Kirkpatrick, McDonald, Reeves, Safford and President—8.

Nays—Messrs. Allen, Miller, Puett, Rogers and Salesbury—5.

So the Council adjourned.

MONDAY, JANUARY, 19, 1857.

MORNING SESSION.

Council met pursuant to adjournment,

Prayer by the Chaplain.

Journal read and approved.

Mr. Bradford introduced joint resolutions and memorial to Congress re-

lating to the policy of annexing a portion of Minnesota territory to the State of Iowa which

On motion,

Was read first and second time and referred to a select committee consisting of

Messrs Bradford, Furnas, and Puett.

Mr. Furnas introduced the memorial of D. L. McGary for the payment of services rendered as district attorney, which

On motion,

Was referred to committee on expenditures.

The following message was received from the governor by his private secretary:

To the Council.

Gentlemen:

The bill entitled, "An act re-locating and establishing the seat of government proposing to remove it from its present location to the town of Douglas, in Lancaster county, has been presented to me for my approval, and I have given to it that calm and deliberate consideration which its importance would seem to demand.

From the time I entered upon the discharge of the responsible duties devolving upon the executive of this Territory; it has been my determined purpose and sincere desire to co-operate with the Legislative Assembly, as a co-ordinate branch of the territorial government in all matters calculated to promote the welfare and prosperity of the whole Territory. And it is with regret that now for the first time I feel myself compelled to differ from it, and to interpose the power confided to me by the Organic Law, the exercise of which, entrusted as it is to the sound discretion of the executive, should be the result of mature and candid deliberation and supported by good and sufficient reasons. If I entertained doubts as to the expediency of the proposed removal of the seat of government, I would most cheerfully yield them to the implied wishes of the people as expressed through their representatives; but with me it is not a question of doubt, neither can I believe that the people desire this change. As far as I have been able to learn the removal of the seat of government was not made an issue before the people in any county in the Territory at the time present Legislative assembly was elected; and I am therefore constrained that this movement has been gotten up and pressed hurriedly and inconsiderately through both branches of that body by a dominant majority not only in the absence of any positive instructions from the people, but contrary to their wishes, and most certainly to the injury of their injury of their best interests.

It is I believe universally conceeded by all who are familiar with the geography of the Territory that our principle settlements for many year to come will be confined to a tract of country not extending more than thirty miles from the Missouri river.

The present seat of government as located and established by law occupies a central position in what, for some time, must constitute the body of our population, being about equi distant from our extreme northern and southern settlement. It is immediately opposite the great gateway into the territory

and is more accessible not only to those within the territory but to the various portions of the country east of us, than any point which could be selected. The facilities for reaching it and through the territory are large and annually increasing and we may reasonably expect in a few years that it will in point of time be within four days of the great commercial marts of the East.—These certainly are advantages which in the location of the seat of government should not be overlooked. In addition to these a costly and substantial building sufficient to meet and accommodate the growing demands of the territory for many years, is now in course of erection at the present location and will be completed during the present year if not retarded by ill-advised and hasty legislation without the cost of a single dollar to the people of the Territory.

In consideration of these facts, I am unable to discover any sufficient reasons why a change should be made or even desired, more especially to a point, which if it has an existence at all except upon paper, is entirely removed from the centre of population and equally remote from the geographical centre of the Territory. It is not pretended that a single house or even a sod shanty has been erected on the site of the proposed Capital or in the vicinity. It appears to be a floating town, not only without a location, but without inhabitants. Its existance, if it has any, seems to be confined at present to the brain of some desperate fortune hunter and its identity reposes in an indefinable number of certificates of stock for $500 each, neatly gotten up and handsomely executed with all the requisite of president, secretary, &c.: where the precise location of this town is intended to be I am unable to determine. By some it is said to be somewhere on Salt Creek and by others a point farther removed from the settlements and in the vicinity of the southern boundary of the Territory. All agree, however, that there are two towns in Lancaster county, by the name of Douglas, already made upon paper. To which of these it is the intention of the Legislature to remove the seat of government I am left wholly to conjecture. It might so happen and from my knowledge of the speculative genus of a certain class of our citizens, I think it highly probable that should the bill under consideration become a law, each of these rival towns would set up a claim to the Capital, which it might require long and tedious litigation to settle; leaving the people of the Territory in the mean time without a seat of government.

This much I have felt it my duty to say as to the policy of the contemplated removal, and while I am deeply sensible of the fact that the executive veto has been rarely if ever interposed where a measure has passed both branches of the Legislature by a majority so decided as that received by the present bill; the foregoing facts alone would justify me in a conscientious discharge of my duty in withholding my sanction from a measure so suicidal to every substantial interest of the Territory, although it had received the vote of every member of the Legislative Assembly.

But there are other and still more weighty reasons which influence me in refusing to sanction this bill.

The 13th section of the Organic Act, conferring the power upon the Governor and Legislative Assembly to locate the seat of government, provides, that the Legislative Assembly shall hold its first session at such time and place as the Governor shall appoint and direct, and at said first session or as soon thereafter as they shall deem expedient the Governor and Legislative Assembly shall proceed to locate and establish the seat of government for said Territory at such place as they may deem elligible, which place, how-

ever, shall thereafter be subject to be changed by said Governor and Legislative Assembly. And the act of Congress making appropriation to be applied under the direction of the Governor to the erection of suitable public buildings for the Territory, provides that no part of said appropriation shall be expended until the Legislature of said Territory shall have fixed the seat of government permanently by law.

Taking the provision in the Organic Act alone, I arrive at the conclusion that the evident intent and meaning of Congress was that the seat of government after having been once located might be removed not by the Governor alone nor by the Legislative Assembly alone but by the joint action and assent of both. If this view of the law be correct the Legislative Assembly has no power, even by a unanimous vote, to remove the seat of government without the concurrence of the Governor, who evidently stands in the relation of one of two parties, clothed with equal powers whose joint action is necessarry for the performance of a given act. But considering the clause in the Organic Law in connection with the provision already alluded to in the act of Congress making the appropriation for the erection of public building, I am forced to conclude that the removal of the seat of goverument contemplated and provided for in the former was intended to be made, if made at all, prior to the expenditure of any portion of the money appropriated for the erection of public buildings and not subsequent thereto. The act itself making the appropriation, evidently regarded the seat of government as permanently located by law during the territorial existence of the Territory, in no other contingency are we at liberty to suppose that the expenditure of any portion of the appropriation would have been authorized.

My conviction then is, from this plain and natural construction of the law, that the removal of the seat of government was intended to take place, if at all in the interim, between its first location by the Governor and Legislative Assembly and the time when any portion of the money appropriated for the erection of public buildings should be expended, and that such removal could only be effected by the joint and concurrent action of the Governor and Legislative Assembly.

Thoroughly convinced in my own mind of the correctness of the position I have assumed, I should feel it a solemn duty I owe to the government to resist by all constitutional means the removal of the public archives unless otherwise especially instructed by the President of the United States; therefore, solemnly appealing to the unbiassed judgment of all good men both within and without the Territory for the justification of my course, I respectfully return the bill to the Council, the house in which it originated, for its reconsideration.

MARK W. IZARD.

Executive Office, OMAHA CITY, N. T.,
January 19th, 1857.

Question recurring on the passage of the bill,

Mr. Safford moved the postponement of the question until Thursday next,

The ayes and nays were ordered and resulted as follows:

Ayes—Messrs Bradford, Clancy, Kirkpatrick, McDonald, Reeves, Safford and President—7.

Nays—Messrs. Furnas, Miller, Puett, Rogers and Salisbury—5.

So the motion was adopted.

To the honorable Council of the territory of Nebraska:

Your committee on Incorporations to whom was referred C. Bill No. 24, An act to repeal section 3 chapter 3 of the code of Nebraska, have had the same under consideration and unanimously recommend its reference to committee on Judiciary. Also,

C. Bill No. 29, entitled An act to incorporate the Lancaster salt manufacturing company; and,

C. Bill No. 31, entitled An act to amend an act entitled an act to incorporate the town of Brownville, and recommend their passage without amendment. Also,

C. Bill No. 26, entitled An act to incorporate the Oak Bluff town and ferry company, with the following amendments:

Strike out "five" and insert "two and a half," in fifth line sec, 5.

All of which is respectfully submitted.

S. M. KIRKPATRICK, Chairman.

On motion,

The report was adopted.

Mr. Reeves from committee on engrossed bill reported:

C. Bill No. 46, Joint resolution and memorial relative to the Pacific railroad.

C. Bill No. 14, An act to establish a ferry across the Missouri river at Omadi, N. T.

C. Bill No. 21, An act to legalize the appointment of Charles Mather as the assessor of Washington county for the year 1856.

C. Bill No. 20, An act to incorporate the town of Salina.

C. Bill No. 18, An act to incorporate the Missouri river and Pacific railroad company.

C. Bill No. 5, An act to establish and keep a ferry across Platte river at Cedar Island in the county of Cass. Also,

C. Bill No. 1, An act to incorporate the central Pacific railroad company,

As correctly engrossed.

The committee on Highways, Bridges and Ferries to whom was referred the following bills, viz:

C. Bill No. 16, entitled, An act to locate a territorial road from Nebraska City landing to the Kansas line.

C. Bill No. 11, entitled, An act to charter a ferry at Rock Bluffs in Cass county.

C. Bill No. 17, entitled, An act to establish a territorial road from Brownville to Nemaha City.

Have had the same under consideration and report them back with the following ammendments and recommend their passage as ammended:

In the first named Bill, strike out the words "to the south boundary of the Territory in the direction of Marysville in Kansas Territory," where the same occurs in sec. 1, and insert the words "to" between "Hamilton" and "Tecumseh"; and also, strike out the words "Turkey Creek post office," in sec. 1, in the last named bill strike out the word "Archer" in the title and insert "Nemaha city", also, strike out the words "by the way of Archer, in Richardson county" as they occur in sec. 1.

R. W. FURNAS, Chairman.

On motion,

The report was adopted.

Mr. Rogers from the committee on Agriculture reported: C. Bill No. 15, entitled An act incorporating the Nemaha Agricultural society, without amendment and recommend its passage.

Mr. Rogers chairman of the select committee submitted the following:

MINORITY REPORT.

Your committee to whom was referred Council Bill No. 12, entitled A bill for an act to erect the county of Omaha, have had the same under consideration and bey leave to report as follows:

That to erect a new county out of the territory of Douglass county, which is already one of the smallest counties in the Territory, and thereby reduce it in size to six townships would be grossly unjust, oppressive, tyranical and anti-democratic. Unjust because if thus severed she would be robbed of one half of her river front, and thereby a very large share of her commercial advantages which is a material element in the growth, importance and destiny of any county or district of country; it would be unjust because no county has heretofore been restricted to so unjust and parsimonious a river front, for it has been heretofore in the history of the Territory as it should be the constant aim to distribute with as much justice and equality as possible the commercial and other natural advantages among the family of counties thus far organized.

To make Douglas county an exception to this just precedent of this Legislative Assembly would be an obvious wrong and a manifest injustice to the mind of any disinterested, unprejudiced party.

To sever Douglas county which does not now contain but twelve townships when sixteen is the usual size, would not only be unjust to every voter in North Douglas, and at least one half of the voters of South Douglas, but clearly and manifestly oppressive—oppressive by doubling the taxes of these two exceedingly small counties for the erection of two sites of county buildings, and the expense incurred in sustaining two sets of county officers when it is fully known and clearly understoood by this body that a very large majority of the people of the county are decidedly opposed to any severence of their county or their legislation, which would impose upon them a grievious and burthensome taxation. The people of North Douglas are not alone in opposition to this uncalled for oppression, but we are clearly of the opinion that a very large minority, if not even an absolute majority, of South Douglas are equally decided in their opposition to the severence of this county.—In support of this opinion we would beg leave respectfully to state that although the census returns show South Douglas to have contained a fraction over four hundred and fifty voters, yet at the last election only a fraction over two hundred votes were cast. The reason for this large disparity between the showing of the census returns and the actual number of votes cast originated from the well understood and manifest reason that voters in the northern and western tier of townships of South Douglas, take little or no interest in elections in the election district from the fact that the place of voting is in some instances equally distant and in others more remote from their place of habitation than Omaha city where they are accustomed to trade and transact their county and other business. The citizens of the northern tier of townships who reside in the immediate vicinity of Omaha their natural place of trade as well as the citizens of the western tier of townships who are not in the habit of

trading or transacting business at any other point than Omaha from the fact of its equal if not greater proximity to their places of habitation than that of any other point where they could possibly procure supplies, would look upon any act of this Legislature ostracising them from this county against their consent as tyranical and abusive of their best interests.

A majority of the committee to whom this bill was referred claim that in order to restore certain rights to South Douglas it is necessory to erect the county of Omuha, out of the territory of the county of Douglas; that in order to restore those rights it is necessary to reduce her area to six townships, to rob her of one half of her river front to impose upon her voters against their will an unequal and unjust taxation. All this they claim to be necessary in order to restore certain rights which are said to be distinctive.

What are the rights claimed to have been lost?

Sometime in November, 1854, the then acting Governor issued a proclamation forming counties for the purpose of a first election. By that proclamation a county was formed North of Platte river and South of Omaha city for Bellevue, the same power that formed this county in December, 1854, destroyed it. Or it may be stated thus: the acting Governor promised Bellevue a county but never gave it. The majority upon the above statement pretend rights existed and are lost but must be regained. If the acting Governor did a wrong act did that create for them a right of any kind whatever? If this act did them injustice, is it even a reasonable pretext for them (I mean the two hundred odd voters above referred to,) to come up to this body and through their representatives attempt to commit a much greater act of injustice against twelve hundred others?

These twelve hundred voters have never conceded to the two hundred voters of South Douglas, who sent a representation, having any distinctive or different right from what they themselves enjoy; neither can it be said that they have deprived the two hundred voters of any such rights.

Since they have never acquired any distinctive right at the hands of the acting Governor, from the hands of the majority, we reasonably assert that they never had any such rights to loose. We think too that we have clearly and fully shown that these two hundred voters of South Douglas have not in justice any claim now to such destructive rights, and further for this Legislature to confer such rights, we have shown would be to do so in direct opposition to the wishes of a very large majority of the voters of the county, and in direct opposition to their best interests. Such an act could not be denominated anything less than flagrant oppression, than tyranical injustice.

No one would deny that it would be tyranical and anti-democratic for the representatives of North Douglas to vote on this bill contrary to and in direct opposition to the best interests of and known wishes of a very large majority of the people of the whole county.

This would be equally true of representatives of other counties who come up to this body and vote against the best interests of the almost unanimous voters of this county. We say this would be as great an act of tyranny and as contrary to democratic principles as if the immediate representatives of the people had so voted.

There can be no exception to this rule unless where the vote is for ferry charters or some other act for the benefit of immediate neighborhoods.

In view of the above statement we recommend the indefinite postponement of Council Bill No. 12, entitled a bill for An act to erect Omaha county.

SAM'L E. ROGERS, Chairman.

The majority of the Select committeee submitted the following:

MAJORITY REPORT.

The Select committee to whom was referred a bill for An act to create the county of Omaha, beg leave to report that they have had the same under consideration and recommend its passage without amendment, and for the following reasons viz:

That the acting Governor of Nebraska prior to the past election caused proclamation to be printed in the office of the 'Nebraska Paladium,' at Bellevue, defining the boundaries of Douglas county nearly as provided for in this bill for the county sought to be created hereby; but afterwards refused to issue said proclamation unless the citizens of said district would make to him a humiliating pledge as to their future political action and therefore issued a proclamation making the North line of Douglas county, one mile North of Omaha city thus uniting those citizens with a community of different interests and succeeding by means not necessary to mention here of depriving them of a representative in the first Legislature of this Territory.

By reference to the first Journals of the Council of this Territory we perceive that the citizens of this district humbly petitioned the Legislature to grant them a county, which was refused, and the county of Douglas made yet a larger part by a proclamation of the Governor, while the Legislature was in session, extending Douglas county to a line North of the city of Florence, and afterward by Legislative action.

And the majority of your committee further state that the county of Douglas has by its present boundary a much wider front on the Missouri river than any other county, extending from the Platte river to the fourth standard parallel, a distance of more than twenty-five miles.

And further the citizens of this district now seeking the passage of this bill under consideration have and ever will have interests distinct from the remainder of the present Douglas county. That nearly in the centre of the river boundary of said district is the flourishing City of Bellevue, the oldest city in the Territory, which already has its hotels, mercantile establishments banks its attorneys and its churches, making it the centre of business for the inhabitants of said district. Consequently your committee readily perceive the necessity of giving to said inhabitants the privilege of transacting their legal business where their private business is done, and your committee are advised and believe the inhabitants of said district are nearly unanimous in favor of the proposed new county and that the said district is capable of sustaining as great and probably a greater population than any other district in Nebraska.

A. A. BRADFORD,
J. S. ALLEN.

Mr. Miller moved to adopt the report of the chairman of the committee.

The ayes and nays were demanded and resulted as follows:

Ayes—Messrs. Furnas, Miller, Puett, Rogers and Salisbury—5.

Ayes—Messrs Allen, Bradford, Kirkpatrick, McDonald, Reeves, Safford and President—7.

So the motion was lost.

Mr. Kirkpatrick moved that both of the reports lie on the table and that

they be printed for the use of the Council and the same be made the special order of the day for Friday next.

Which motion was agreed to.

The Select committee to whom was refferred the joint resolution for the organization of a New Territory North of 43 degrees of latitude to be called the Yellow Stone being C. Bill No. 28; beg leave to report that they have had the same under consideration and respectfully recommend its passage with the following amendments:

1. Insert the word "north" in the thirteenth line between the words "of" and "latitude."

2. Insert the words "of north latitude" in the nineteenth line after the word "degrees."

3. Strike out the proposed name of "Yellow Stone" and insert the word "Oheah."

4. Strike out the title and insert the following, "Memorial and joint resolutions for the organization of the territory of O-he-ah."

All of which is repectfully submitted.

A. W. PUETT, Chairman.

On motion,

The report was adopted.

Mr. Salisbury introduced a Memorial and joint resolution relative to Railroads, being C. Bill No. 51; which was read first and second time and referred to committee on Incorporation.

The following notices of bills were introduced and read:

By Mr. Kirkpatrick:

I hereby give notice that I will on some future day ask leave to introduce a bill, entitled An act to incorporate the Nebraska and Kansas Railroad company, also,

To incorporate the Burlington, Missouri and Pacific Railroad company.

By Mr. Miller:

I hereby give notice that I will on to-morrow or some subsequent day introduce a bill, entitled An act to incorporate the Pappillion Mill company; also,

A bill entitled An act to incorporate the Nebraska Medical society.

By Mr. McDonald:

I hereby give notice that I will on some subsequent day ask leave to introduce a bill entitled, An act to regulate the sale and traffic in spirituous liquors in this Territory.

By Mr. Allen:

I hereby give notice that I will on some future day introduce a bill entitled An act to locate a road from Omaha City to Chester in Lancaster county.

By Mr Safford:

I hereby give notice that I will on to-morrow ask leave to bring in a bill entitled, An act to incorporate the Fontenelle Bridge and Ferry company, also,

A bill entitled, An act to locate a territorial road from North Bend to Fontenelle.

By Mr. Bradford:

I hereby give notice that I will on to-morrow or some subsequent day ask

leave to introduce a bill Repealing sundry acts of the Legislature of Nebraska passed the first and second session; also,

A bill entitled An act to provide for the relocating of the seat of justice of Dacotah county.

Mr. Kirkpatrick introduced a bill entitled An act authorizing G. W. Hunt to erect and keep a dam across the Weeping Water; which was read, rules suspended, read a second time by its title and referred to committee on Highways, Bridges and Ferries.

Mr. McDonald introduced a bill entitled An act to provide for the permanent location of the county seat of Richardson county,

On motion,

The rules were suspended, the bill read first and second time and referred to committee on Counties.

Mr. Allen introduced a bill entitled An act relative to the observance of the Sabbath and the protection of religious worship.

Mr. Safford introduced a bill entitled An act to incorporate the Dodge county Lyceum and Literary association; which was read first time.

Mr. Bradford introduced a bill entitled, An act to defray the expenses of taking the census of Nebraska, the rules were suspended, the bill was read a first and second time, and referred to committee on expenditures; also,

A bill entitled, An act to authorize County Commissioners to license ferries the rule suspended, the bill read first and second time and reffered to committe on Highways, Bridges and Ferries.

Mr. Furnas introduced a bill entitled An act to incorporate the Brownville Lyceum, which was read first time; also,

A bill entitled An act to establish a territorial road from Brownville to Kansas line, which was also read first time.

Mr. Safford introduced Joint Resolution and Memorial relative to a grant of land to trustees of Simpson University, rule suspended read first and second time and referred to committee on Education.

C. Bill No. 37, entitled An act to establish a territorial Agricultural society, was taken up read a second time and referred to committee on Agriculture.

C. Bill No. 47, entitled An act to incorporate the Sauntee Land and Ferry company; also,

C. Bill No, 46, entitled An act to locate a territorial Road; also,

C. Bill No. 39, entitled An act to locate a territorial Road from Bellevue to Elk Horn city; also,

C. Bill No. 38, entitled An act to locate a territorial Road from Bellevue via Iron Bluff to Fremont, were taken up read a second time and referred to committee on Highways, Bridges and Ferries.

C. Bill No. 40, entitled An act to incorporate the National Bank at Bellevue; also,

C. Bill No. 41, entitled An act to incorporate the Leau-qui-court company; also,

C. Bill No. 45, entitled An act to incorporate the Nebraska Land and Emigrant company, were taken up and read second time and referred to committee on Incorporations.

C. Bill No. 36, entitled An act to repeal an act locating the county seat of Dakotah county, approved March 7th, 1855; also,

C. Bill No. 42, entitled An act to establish the county of Neobrarrah, were taken up read a second time aud referred to committee on counties and county boundaries.

C. Bill No. 28, Memorial and Joint Resolutions relative to the organization of a new territory to be called O-he-ha was taken up,

Mr. Kirkpatrick moved that the memorial and resolutions be made the special order of to-morrow 10 o'clock, A. M.,

Which was agreed to.

C. Bill No. 24, entitled An act to repeal section 3 of Code of Nebraska chapter 3 entitled corporations, was taken up read a second time and referred to committee on Judiciary.

The following Bills were taken up, read a second time and ordered engrossed for a third reading to-morrow, viz:

C. Bill No. 29, entitled an act to incorporate the Lancaster salt manufacturing company; also,

C. Bill No. 26, entitled An act to incorporate the Oak Bluffs town and ferry company; also,

C. Bill No. 31, entitled An act to amend an act to incorporate the town of Brownville; also,

C. Bill No. 23, entitled An act to incorporate the Brownville college; also,

C. Bill No. 16, entitled An act to locate a territorial Road therein named; also,

C. Bill No 15, entitled An act to incorporate the Nemaha county Agricultural Society; also,

C. Bill No. 11, entitled An act to charter a ferry at Rock Bluffs Cass county; also,

C. Bill No. 17, entitled An act to establish a territorial road from Brownville to Nemaha city.

The foilowing bills were taken up read a third time, passed, and

On motion,

C. Bill No 1, entitled An act to incorporate the Central Pacific Railroad company; also,

C. Bill No. 5, entitled An act to keep a ferry across the Platte river at Cedar Island; also,

C. Bill No. 18, entitled An act to incorporate the Missouri river and Pacific Railroad; also,

C. Bill No. 19, entitled An act to establish a ferry across the Missouri river at Omadi; also,

C. Bill No. 20, entitled An act to incorporate the town of Salina; also,

C. Bill No 21 entitled an act to legalize the appointment of Chas. Marther as the assessor of Washington county for the year 1856; also,

C. Bill No. 33, entitled An act to amend an act entitled an act to authorize religious societies to elect officers and hold property, approved January 26, 1856; also,

C. Bill No. 49, Joint Resolution and Memorial relative to Pacific Railroad.

On motion,

The Council adjourned until to morrow, 10 o'clock A. M.

ATTEST, O. F. LAKE, Chief Clerk.

TUESDAY, JANUARY 20, 1857.

MORNING SESSION.

Council met pursuant to adjournment.

Prayer by the Chaplain.

Journal read and approved.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
January 20th, 1857.

To the President of the Council:

I am directed to inform your honorable body that the House have passed H. bill no. 2, entitled A bill to incorporate the city of Omaha, and respectfully ask the concurrence of the Council therein.

S. M. CURRAN, Chief Clerk.

The committee on Highways, Bridges and Ferries, to whom was referred C. bill no. 25, entitled A bill for an act to incorporate the Loup Fork Bridge Company, have had the same under consideration and report the following substitute, entitled An act to incorporate the Loup Fork Bridge Company, and recommend its passage.

R. W. FURNAS, Chairman.

On motion the report was adopted.

The committee to whom was referred A bill for the relief of E. Estabrook, beg leave to report the same back without amendment, and recommend its passage.

A. W. PUETT,
G. L. MILLER,
R. W. FURNAS,
} Committee.

On motion the report was adopted.

Mr. Reeves from the committee on engrossed bills reported back—

C. Bill no. 31, entitled An act to amend an act to incorporate the Town of Brownville.

C. Bill no. 23, entitled An act for incorporating the Brownville College.

C. Bill no. 25, entitled An act to incorporate the Oak Bluffs Town and Ferry Company.

C. Bill no. 29, eniitled An act to incorporate the Lancaster Salt Manufacturing Company as correctly engrossed.

On motion the report was adopted.

To the Honorable the Council of the Territory of Nebraska:

The Standing Committee on Incorporations report that they have had under consideration,

C. Bill No. 32, entitled An act to incorporate the Pacific Bank of Dakotah and report the same back to the Council with the following amendments:

In section 1st, 3rd line, strike out 'William B. Brenists' and 'Joseph Holman' and insert Orin J. Rese and Michael Deversay; also in section 1st, 9th line strike out 'Dakotah City' and insert Omadi, and recommend its passage.

The Committee also report back

C. Bill No. 13, entitled An act to incorporate the Clinton Bank, with the following amendments, to wit:

In sec. 3rd, 10th line, after the word 'twenty,' insert five; also C. Bill No. 8, entitled An act to incorporate the Bank of Columbus and recommend their passage; also,

Your committee have had under consideration C. Bill No. 4, entitled A bill to charter the Bank of Plattsmouth, and beg leave to report the accompanying bill entitled An act to charter the Bank of Plattsmouth as a substitute for the same, and recommend its passage.

S. M. KIRKPATRICK, Chairman.

On motion the report and accompanying bills were re-committed to the committee on incorporations.

The committee on judiciary, to whom was referred Council bill No. 48, entitled An act for the relief of Harriet Alloway, also C. bill No. 43, entitled An act to divorce Wm. A. Davis and Martha A. Davis, have had the same under consideration and report adversely to both.

The committee are opposed to any special legislation on matters of divorce. The contract is one which should not be dissolved, except for causes defined by law, on notice to the adverse party, and evidence taken before competent authority, nor should a divorce be granted when the parties have connived together to obtain it, and, in most cases, provision should be made for the care, custody and education of the infant children.

Divorce, by legislative action, is a practice which has, of late years, been disapproved of by our wisest and best men.

Application to legislatures for divorce, is usually made without notice to the adverse party, and the evidence is commonly of an exparte character, not presenting the real merits of the case. Cases of so much importance, involving the welfare and happiness of not only the parties themselves, but of their offspring, and frequently other persons, should be referred to the courts, where the rights of all parties can be protected in accordance with general law.

Your committee are of opinion that the act concerning divorce, passed at the last session of the legislature, contains ample provisions for the relief of all parties seeking a divorce. They therefore return the bill to the Council, and recommend their indefinite postponement.

C. Bill No. 54, entitled An act relating to the obseverence of the Sabbath

and the protection of religious worship, was taken up read a second time and, referred to committee on Judiciary.

C. Bill No. 59, entitled a Bill to establish a territorial road from Brownville to Kansas line, was taken up read a second time and referred to committee on Highways, Bridges and Ferries.

C. Bill No. 28, Joint Resolution and Memorial relative to organizing a New Territory, the same being the special order of the day, was taken up read a third time.

By a unanimous vote of the Council the name of "Oheah" was changed to "Yellow Stone."

On motion of Mr. Clancy,

Further consideration of the same was postponed until Tuesday next.

The following Bills were taken up read a third time passed, and

On motion,

Title agreed to:

C. Bill No. 23, entitled An act to incorporate the Brownville College.

C. Bill No. 26, entitled An act incorporating the Lancaster Salt manufacturing company.

C. Bill No. 26, entitled An act to incorporate the Oak Bluffs town and ferry company.

C. Bill No. 31, entitled An act to amend an act to incorporate the town of Brownville.

The Select committee to whom was referred the Memorial and Joint Resolution to Congress in relation to the policy of annexing a portion of Minnesota to Iowa, have had the same under consideration and report the some back to the Council and unanimously recommend their passage.

A. A. BRADFORD, Chairman.

On motion,

The report was adopted.

The committee on Counties submitted the following report:

Which was adopted.

Your committee to whom was referred C. Bill No. 53, entitled An act to provide for the permanent location of the county seat of Richardson county have had the same under consideration and unanimously recommend its passage without amendment.

WM. CLANCY, Chairman.

C. Bill 50, Joint Resolution and Memorial relating to the policy of annexing a portion of Minnesota to Iowa, was taken up and ordered to a third reading to-morrow.

C. Bill No. 53, entitled An act to provide for the permanent location of the county seat of Richardson county, was taken up and read a third time.

Mr. Miller moved a reconsideration of the vote by which the bill was read a third time.

Which motion was lost.

Question recurring on its passage,

The bill passed, and

On motion,

The title was agreed to.

C. Bill No. 25, entitled An act to incorporte the Loup Fork bridge company; also,

C. Bill No. 30, entitled An act for the relief of Experience Estabrook, was taken up, and ordered engrossed for a third reading to-morrow.

On motion,

Council adjourned until to-morrow, 10 o'clock A. M.

ATTEST, O. F. LAKE, Chief Clerk.

WEDNESDAY, JANUARY, 21, 1857.

MORNING SESSION.

Council met pursuant pursuant to adjournment.

Prayer by the Chaplain.

On motion,

The reading of the Journal was dispensed with.

On motion,

Council adjourned until to-morrow at 10 o'clock A. M.

ATTEST, O. F. LAKE, Chief Clerk.

THURSDAY, JANUARY 22, 1857.

MORNING SESSION.

Council met pursuant to adjournment.

Prayer by the chaplain.

Journal read and adopted.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,
January 22, 1857.

Mr. President:

I have to inform your honorable body that the House have passed the following bills to wit:

H. F. No. 3 An act to locate a Territorial road from Nebraska City to Weeping Water Falls via. Spring Grove; also,

H. F. No. 4, An act to establish a Territorial road from Brownville to New Fort Kearney; also,

H. F. No. 5, a bill for a Road from Plattsmouth to Chester, Lancaster County, Nebraska Territory; also,

H. F. No. 7, a bill to authorize James A. Cardwell to erect and keep a mill dam across Spring Creek in Cass county, N. T.; also,

H. F. No 10, a bill to establish and define the boundaries of Johnson county; also,

H. F. No. 13, r bill to locate a Road from Omadi to the mouth of the Running Water River, N. T.; alse,

H. F. No. 15, a bill to locate a Territorial road from Elk Horn City to the forks of the Elk Horn river; also,

H. F. No. 17, a bill to view and locate a Territorial road from De Soto, Washington county, to Decatur in Burt county, via. Woodville and Central City, N. T.

H. F. No. 18, a bill to locate and establish a Territorial Road from Elk Horn City to Iron Bluffs; also.

H. F. No. 32, a bill to revive the Plattsmouth Preparatory and Collegiate Institute;

And respectfully ask the concurrence of the Council therein.

S. M. CURRAN, Chief Clerk.

C. B. No. 7, a bill entitled An act to re-locate the seat of Government, was taken up.

Mr. Allen moved to postpone consideration of the bill until Thursday next, 29th, at 10 o'clock A. M.

Mr. Miller moved to lay the motion on the table.

Ayes and nays were demanded and resulted as follows:

Ayes—Messrs. Furnas, Miller, Puett, Rogers and Salesbury—5.

Nays—Messrs. Allen, Bradford Clancy, Kirkpatrick, McDonald, Reeves, Safford and President—8.

So the motion to lay on the table was lost.

Mr. Miller moved to amend by striking out Thursday next and inserting to-morrow morning at 10 o'clock. Lost.

The question recurring on Mr. Allen's motion. It was carried.

Mr. Clancy presented the petition of James C. Mitchell and eighty two other citizens of Florence praying for the charter of an omnibus line to run between Omaha and Florence.

Which was referred to committee on incorporations.

Mr. President introduced the petition of Archibald Wright and twenty-five other citizens of the southern district of Douglas county, praying for the erection of the county of Omaha out of said district.

Also the petition of H. T. Clark and others on the same subject.

Also the petition of Wm. W. Laughlin and others on the same subject. All of which were referred to select committee on Omaha County,

Mr. Furnas chairman of committee on Highways Bridges and Ferries, reported back,

C. Bill 59, entitled a bill for An act to locate a territorial road from Brownville to the Kansas line; also,

Council Bill No. 57, entitled An act to authorize county commissioners to locate ferry and bridge companies; also,

C. Bill No. 38, entitled An act to locate a Territorial road from Bellevue to Fremont; also,

C. Bill No. 39 Entitled An act to locate a Territorial road from Bellevue to Elk Horn City; also,

C. Bill No. 52, entitled An act to authorize G. W. Hunt to erect a mill dam; also,

C. Bill No. 47 entitled An act to incorporate the Sauntee Land and Ferry company, also,

C. Bill No. 65, entitled An act to locate a ferry across the Platte river; and recommended their passage without amendment. Also,

Council Bill No. 46, entitled An act to locate a territorial road from Ft. Calhoun to Fontenelle with the following amentment:

Strike out the name of "E. H. Clark," and insert the name of "Alonzo Perkins;" and recommend its passage as amended.

The report was adopted.

Mr. Kirkpatrick presented the following

REPORT.

To the Honorable the Council of the Territory of Nebraska:

Your committee on Incorporations to whom was referred Council Bill No. 32, entitled a bill for An act to incorporate the Pacific Bank of Dakotah, have considered the same and respectfully report it back with the following amendments; viz: In Sec. 1st, 3rd line, strike out "William C. Brewster, Joseph Holman and Augustus Kountze," and insert "Owen J. Rose, Michael Dicersey and William F. Lockwood."

Also in Sec. 1st 9th line strike out "Dakotah City," and insert "Omadi;" and your committee recommend its passage.

Your committee also report back, C. Bill No. 13 entitled An act to incorporate the Clinton Bank, with the following amendment; viz: In Sec 3rd, 10th line, after the word "twenty," insert five, and recommend its passage.

Your committee also report back Council Bill No. 8, entitled An act to incorporate the Bank of Columbus and recommend its passage without amendment.

Your committee have also had under considetation C. Bill No. 34, entitled An act to charter the Bank of Plattsmouth, and beg leave to report the accompanying bill, entitled a bill to charter the Bank of Plattsmouth, as a substitute therefor, and recommend its passage.

S. M. KIRKPATRICK, Chairman.

On motion,

The report was adopted.

Mr. Reeves presented the following

REPORT:

The committee on Engrossed and Enrolled Bills, beg leave to report that the following bills are correctly engrossed; viz:

C. Bill No. 11, entitled An act to charter a ferry at Rock Bluffs, Cass county, N. T.

Council Bill No. 16 entitled An act to locate a Territorial road therein named.

C. Bill No. 17 entitled An act establishing a Territorial road from Brownville to Nemaha City.

C. Bill No. 15, entitled An act incorporating the "Nemaha County Agricultural Society.

C. Bill No. 30, entitled An act for the relief of E. Estabrook.

C. Bill No. 25 Entitled An act to incorporate the Loupe Fork Bridge company.

C. Bill No. 28 Memorial and Joint Resolution for the organization of the Territory of "Yellow Stone." All of which is respectfully submitted.

MILL S. REEVES, Chairman.

On motion,
The report was adopted.

The following notices of bills were introduced and read:

Mr. Puett gives notice that he will on to-morrow, or some subsequent day of the session introduce a bill to charter a ferry across the Missouri river opposite Monona City in Monona county Iowa.

Mr. Salesbury hereby gives notice that he will on to-morrow or some subsequent day, introduce a bill entitled An act to incorporate the University of Nebraska at Saratoga.

Mr. Clancy gives notice that he will on to-morrow or some day during the session introduce a bill entitled An act to incorporate the Omaha City and Florence Omnibus line.

Mr. McDonald gave notice that he would on to-morrow or some future day, introdoce a bill entitled An act to authorize county commissioners to locate one quarter section of land in each county under provisions of an act of Congress.

Mr. Rogers gave notice that he should on to-morrow, or some future day of the session introduce a bill entitled An act to define the boundaries, locate the seat of Justice, and organize the county of Platte; also a bill entitled An act to incorporate the Saratoga and Council Bluffs ferry Company.

The following bills were introduced and read the first time.

By Mr. Miller:

C. Bill No. 66, entitled An act to authorize Samuel L. Campbel and Henry C. Rariden, to establish a ferry at the town of Laniere opposite the mouth of St. James River, in the Territory of Nebraska; also.

C. Bill No. 67 entitled An act to incorporate the town of Laniere opposite the mouth of the St. James River.

By Mr. Bradford:

C. Bill No. 58, entitled An act to incorporate the Nebraska City Insurance Company; also.

C. Bill No. 69 entitled An act to repeal certain acts of the Legislative Assembly of Nebraska, passed at the first session.

By Mr. Clancy:

C. Bill No. 70, entitled an act to incorporate the Woodville Ferry company; also,

C. Bill No. 71, entitled An act to incorporate the City of Woodville.

Mr. Rogers introduced,

C. Bill No. 72, entitled An act to define the boundaries, locate the seat of justiee and organize the county of Platte.

On motion,

The rule was suspended, the bill read a second time by its title, and referred to committee on Counties.

House File, No. 32, entitled a bill to revive the Plattsmouth Preparatory and Collegiate Institute, was taken up and read a first time.

H. F. No. 2, entitled a bill to incorporate the City of Omaha, was taken up and read first time.

H. F. No. 3, entitled An act to locate a Territorial road from Nebraska City to Weeping Water Falls via. Spring Grove; also,

H. F. No. 5, entitled a bill for a road from Plattsmouth to Chester Lancaster county; also,

H. F. No. 7, entitled a bill to authorize James A. Cardwell to erect and keep a mill dam across Spring Creek in Cass county, Nebraska Terriuory; also,

H. F. No. 10 entitled a bill to establish and define the boundaries of Johnson county; also,

H. F. No. 18, entitled A bill to locaie and establish a Territorial road from Elk Horn City to Iron Bluffs; also,

H. F. No. 4, entitled An act to establish a Territorial road from Brownville to New Fort Kearney; also,

H. F. No. 15, entitled A bill to locate a Territorial road from Elk Horn City to the forks of the Elk Horn River. also,

H. F. No. 17, entitled A bill to view and locate a Territorial road from De Soto, Washington County to Decatur, Burt county, via. Woodville and Central City, N. T.; also,

H. F. No. 13 entitled A bill to locate a road from Omadi to the mouth of the Running Water river, N. T.

All of which were read a first time.

The following bills were read a second time and referred to the standing committee on High Ways, Bridges and Ferries.

C. Bill No. 64, entitled An act to incorporate the Fontenelle Bridge and Ferry company.

C. Bill No. 62, entitled an act to establish Territorial road from Omaha to Chester in Lancaster county.

C. Bill No. 63, entitled An act to locate a road from North Bend to Fontenelle.

C. Bill No. 61 entitled An act to incorporate the St. James and Minnesota ferry company, was read a second time and referred to standing committee on Incorporations.

C. Bill No. 50, Memorial and Joint Resolution to Congress in relation to the policy of annexing a portion of Minnesota to Iowa was taken up, read a third time, passed and the title agreed to; also,

C. Bill No. 11, entitled A bill to charter a ferry at Rock Bluff, Cass county, N. T.

C. Bill, No. 15, entitled An act incorporating the Nemaha County Agricultural Society.

C. Bill, No. 16, entitled A bill to locate a Territorial Road therein named.

C. Bill, No. 17, entitled An act establishing a Territorial Road from Brownville to Nemaha City.

C. Bill No. 30, entitled A bill for the relief of Experience Estabrook.

C. Bill No. 28, Memorial and Joint Resolution for the organization of the Territory of Yellow Stone, and

C. Bill No. 25, entitled A bill to incorporate the Loup Fork Bridge Company were taken up, read a third time, passed and title agreed to.

The following bills were taken up and ordered to be engrossed for a third reading to-morrow:

C. Bill No. 59, entitled A bill to establish a Territorial Road from Brownville to the Kansas line.

C. Bill No. 65, entitled An act to establish a ferry across the Platte river.

C. Bill, No. 39, entitled A bill to establish a Territorial Road from Bellevue to Elk Horn City.

C. Bill No. 38, entitled An act to locate a Territorial Road from Bellevue via Iron Bluffs to Fremont.

C. Bill No. 52, entitled An act to authorize G. W. Hunt to erect a mill dam.

C. Bill No. 47, entitled An act to incorporate the Sauntee Land and Ferry Company.

C. Bill, No. 46, entitled An act to locate a Territorial Road, and

C. Bill No. 57, entitled An act to authorize the county commissioners to license Ferries.

On motion of S. M. Kirkpatrick the consideration of the following bills was postponed until Tuesday next, to wit:

C. Bill no. 8. entitled An act to incorporate the Bank of Columbus.

C. Bill No. 32, entitled An act to incoroorate the Pacific Bank of Dakotah.

C. Bill, No. 13 entitled An act to incorporate the Clinton Bank, and

C. Bill No. 34, entitled A bill, to charter the Bank of Plattsmouth.

On leave Mr. Miller introduced the following resolution, which was adopted:

Resolved, That the standing committee on Highways, Bridges and Ferries be and are hereby instructed to inquire into the expediency of reporting to this body, at their earliest convenience, a general law on the subject of roads.

On leave Mr. Safford presented the following

REPORT:

To the Honorable the Council of the Territory of Nebraska:

The standing Committee on Education, to whom was referred Council bill

No. 60, A Joint resolution and Memorial relative to a grant of land to the trustees of Simpson University, having had the same under consideration beg leave to report the same back to the Council with the following amendments and recommend its passage, viz:

Strike out all that part of said memorial after the words "Simpson University, located at Omaha city, N. T.," and insert "the Nebraska city Collegiate and Preparatory institute, located at Nebraska city, Otoe county."

And in behalf of said institute we would ask your honorable body to donate to the trustees of said Simpson University and Nebraska city Collegiate and Preparatory institute, respectively to be located by them or their authorized agents not less than ten thousand acres of land for each institution out of any unentered lands of the Territory of Nebraska, to aid the said trustees in erecting the University and College buildings suitable for the above named institutions, and endowing the same; and your memorialists will ever pray. Therefore,

Be it Resolved, by the Council and House of Representatives of the Territory of Nebraska, That the Secretary of the Territory of Nebraska be and the same is hereby authorized and requested to forward a copy of the foregoing memorial to our Delegate in Congress, and that he present the same to that honorable body and use his influence to secure their earliest and most favorable action.

Your committee would further recommend that after the words "Nebraska city Collegiate and Preparatory institute" the names of such other institutions of learning as the Council may deem proper shall be inserted.

J. SAFFORD, Chairman.

On motion,

The report and blil were recommitted to the committee on Education.

On motion,

Council adjourned until Tuesday 10 o'clock, A. M.

ATEST, O. F. LAKE, Chief Clerk.

TUESDAY, JANUARY 27, 1857.

MORNING SESSION.

Council met pursuant to adjournment.

Prayer by the chaplain.

Journal read and approved.

Mr. Reeves chairman of the committee on Engrossed Bills, reported the following Bills as correctly engrossed, to wit:

C. Bill No. 36, entitled An act to locate a territorial Road from Bellevue to Elk Horn city.

C. Bill No. 38, entitled An act to locate a territorial Road from Bellevue via Hazleton and Iron Bluffs to Fremont.

C. Bill No. 42, entitled An act to authorize G. W. Hunt to erect a mill dam.

C. Bill No. 47, entitled An act to incorporate the Sauntee Land and Ferry company.

C. Bill 46, entitled An act to locate a territorial Road.

C. Bill No. 57, entitled An act to authorize County Commissioners to license ferries.

C. Bill No. 65, entitled an act to establish a ferry across the Platte river; and,

C. Bill No. 59, entitled An act to establish a territorial Road from Brownville to Kansas line.

Mr. Furnas introduced the following Resolution:

Which on a division was lost.

Resolved, That the Governor's message be referred as follows:

That portion relating to the Code to the committee on Judiciary.

That portion relating to Revenue to the committe on Finance, Ways and Means.

That portion relating to Schools to the committee on Education.

That portion relating to School Lands to a Select committee.

That portion relating to Literary Institutions to the committee on Education.

That portion relating to Land sales to a Select committee.

That a portion relating to Land offices to a Select committee.

That portion relative to asking further appropriation to Military Roads to the committee on Expenditures.

That portion relating to the Penitentiary to the committee on Public Buildings.

That portion relating to difficulty with the Indians in 1855 to the committee on Military Affairs.

That portion relative to Territorial Library to committee on Territorial Library.

That portion relative to a Geological survey to a Select committee.

That portion relative to the Pawnee Indians to a Select committee.

Mr. Allen moved that the Governor's Message be made the special order of the day for to-morrow at 10 o'clock and it be considered in committee of the whole

Which motion was agreed to.

The following notices of bills were presented and read.

By Mr. Kirkpatrick:

I hereby give notice that I will on some future day ask leave to introduce a bill entitled An act to charter the Waterville town and manufacturing company.

By Mr. Allen:

I hereby give notice that on to-morrow or some future day I will ask leave to introduce a bill to incorporate the Missouri river and Nebraska railroad company.

By Mr. McDonald:

I hereby give notice that I will on to-morrow or some future day ask leave to introduce a bill to allow a premium for killing wolves and wild cats in this Territory; also,

A bill to incorporate the Salem collegiate institute; also,

A bill entitled An act to authorize C. McDonald to erect a mill dam across the north fork of the grand Nemaha river.

By Mr. Safford:

I hereby give notice that I will on some future day introduce a bill for An act to incorporate the Nebraska university of the Homeopathic healing art, and Law instituted at Wyoming city, N. T.; also,

A bill for An act to authorize certain persons to keep a ferry at Wyoming city.

By Mr. Furnas:

I hereby give notice that I will on to-morrow or some subsequent day ask leave to introduce a bill entitled An act incorporating the Nebraska Settlement company.

The following bills were introduced and read first time:

C. Bill No. 73, entitled An act to charter a ferry across the Missouri river opposite Menona city in Monona county.

C. Bill No. 74, entitled An act to establish a ferry across the Elk Horn river at Golden Gate.

C. Bill No. 75, entitled An act to incorporate the town of Leman in Gage county.

C. Bill No. 76, entitled An act authorizing County Commissioners to locate land for the benefit of the county seats; also,

C. Bill No. 77, entitled An act to incorporate the town of Salem in Richardson county, which,

On motion,

The rule was suspended and the bill read second time and referred to the committee on Incorporations.

H. F. No. 2, entitled An act to incorporate the city of Omaha, was taken up read a second time and ordered to a third reading to-morrow.

H. F. No. 10, entitled An act to establish and define the boundaries of Johnson county, was taken up read a second time and referred to the committee on Counties.

C. Bill No. 71, entitled An act to incorporate the city of Woodville.

C. Bill No. 70, entitled An act to incorporate the Woodville ferry charter.

C. Bill No. 68, entitled An act to incorporate the Nebraska City Insurance company; and,

C. Bill No. 67, entitled An act to incorporate the town of Laniere opposite the mouth of St. James river; were taken up read a second time and referred to committee on Incorporations.

H. F. No. 3, entitled An act to locate a territorial Road from Nebraska city to Weeping Water falls via Spring Grove.

H. F. No. 4, entitled An act to establish a territorial Road from Brownville to New Fort Kearney.

H. F, No. 5, entitled An act for a Road from Plattsmouth to Chester, Lancaster county, N. T.

H. F. No. 5, entitled An act to locate a Road from Omadi to the mouth of Running Water river.

H. F. No. 15, entitled An act to locate a territorial Road from Elk Horn city the forks of the Elk Horn river.

H. F. No. 17, entitled An act to locate a territorial Road from DeSoto to Washington county to Decatur, Burt county via Woodville and Central city.

H. F. No. 18, entitled An act to establish a territorial Road from Elk Horn city to Iron Bluffs; and,

C. Bill No. 66, entitled An act to authorize Samuel L. Campbell to establish a ferry at the town of Laniere opposite the St. James river, were taken up read a second time and referred to the committee on Highways, Bridges and Ferries.

C. Bill No. 69, entitled An act to repeal certain acts of the Legislative Assembly of Nebraska, passed at the first session of the legislature; were taken up read a second time and referred to the committee on Judiciary.

H. F. No. 7, entitled An act to authorize James A. Cardwell to erect and keep a Mill Dam across Spring creek in Cass county; was taken up read a second time and referred to committee on Public Buildings.

H. F. No. 32, entitled An act to revive the Plattsmouth Preparatory and Collegiate institute; was taken up read a second time and referred to the committee on Education.

C. Bill No. 12, entitled An act to erect the county of Omaha; was taken up and,

On motion,

Further consideration of the same was postponed until to-morrow at 10 o'clock.

C. Bill No. 8, entitled An act to incorporate the bank of Columbus.

C. Bill No. 13, entitled An act to incorporate the Clinton Bank.

C. Bill No. 32, entitled An act to incorporate the Pacific Bank of Dakotah.

C. Bill No. 34, entitled An act to charter the Bank of Plattsmouth; were taken up and further consideration pospoued until Friday 10 o'clock.

C. Bill No. 38, entitled An act to locate a territorial Road from Bellevue via Hazleton and Iron Bluffs to Fremont.

C. Bill No. 47, entitled An act to incorporate the Sauntee Land and Ferry company.

C. Bill No. 59, entitled An act to establish a territorial Road from Brownville to Kansás line; and,

C. Bill No. 65, entitled An act to establish a Ferry across the Platte river; were taken up and by unanimous consent recommended to the committee on Highways, Bridges and Ferries.

C. Bill No. 57, entitled An act to authorize the county commissioners to License Ferries; was taken up and recommitted to the committee on Judiciary.

C. Bill No. 35, entitled An act to establish a territorial Road from Bellevue to Elk Horn city.

C. Bill No. 52, entitled An act to authorize G. W. Hunt to erect a Mill Dam; and,

C. Bill No. 46, entitled An act to locate a territorial Road; were taken up read a third time passed, and

On motion,

Title agreed to.

On motion,

Council took recess until 3 o'clock, P. M.

AFTERNOON SESSION.

President in the chair.

Mr. Bradford chairman of Committee on the Judiciary to whom was referred:

C. Bill No. 9, entitled An act to amend an act entitled an act to exempt the property of Married Woman from execution in certain cases; also

C. Bill No. 24, entitled An act in relation to Banking.

C. Bill No. 22, entitled An act in relation to special copartnership have had the same under consideration and report the same back and recommend their passage.

C. Bill No. 9, entitled An act to exempt the property of Married Woman from execution in certain cases; and

C. Bill No. 24, entitled An act in relation to Banking, were taken up and

On motion,

Title agreed to.

C. Bill No. 22, entitled An act relative to special copartnership, was taken up and ordered engrossed for a third reading to-morrow.

Mr. Safford chairman of committee to whom was referred.

C. Bill No. 55, entitled An act to incorporate the Dodge county Lyceum and Literary association; also,

C. Bill No. 58, entitled An act to incorporate the Brownville Lyceum report the same back without amendment and recommend their passage.

On motion,

The said bills were taken up read a third time and title agreed to.

Mr. Furnas chairman of the committee on Highways, Bridges and Ferries, to whom was referred:

C. Bill No. 63, entitled An act locating a territorial Road from North Bend to Fontenelle:

C. Bill No. 62, entitled An act to locate a territorial Road from Omaha to Chester; also,

C. Bill No. 64, entitled An act to incorporate the Fontenelle Bridge and Ferry company; have had the same under consideration and report the same back with the following amendments; viz:

In C. Bill No. 64. sec. 2, 4th line, Strike out the word "Five" where it

occurs and insert in its place the word "Two"; and recommend their passage as amended.

On motion,

The said bills were taken up and ordered engrossed for a third reading to-morrow.

Mr. Rogers chairman of the committee to whom was referred.

C. Bill No. 37, entitled An act to establish a Territorial Agricultural society; have had the same under consideration, report the same back and recommend its passage.

On motion,

The said bill was taken up and ordered engrossed for a third reading to-morrow.

The following notices of bills were presented.

By Mr. Bradford:

I hereby give notice that I will on some future day as leave to introduce a Bill to incorporate the town of Manchester.

By Mr. Reeves:

I hereby give notice that I will on some future day ask leave to introduced a bill for An act to amend an act regulating fees and salaries, approved Jan. 26th, 1656.

Mr. Clancy chairman of the committee on Counties to whom was referred:

C. Bill No. 72, entitled An act to define the boundaries nnd locate the Seat of Justice of Platte county; have had under consideration the same and recommend its passage with the following amendments:

Strike out the boundaries of said county and insert the following,

Beginning in the middle of the main channel of the Platte river where the range line between six and seven east of the sixth principle meridian intersects the same, thence up said river in the middle of the main channel thereof to the point where the line between ranges two and three intersect the same, thence north on said line to the north-west corner of township twenty north of range three east, thence east to the north east corner of township twenty north of range six east, thence south to the place of beginning.

Also, insert the following after sec. 3,

Section 4, All acts and laws coming in conflict with or controvening any of the provission of this act be and the same are hereby repealed.

All of which is respectfully submitted.

The said bill was taken up and ordered engrossed for a third reading to-morrow.

On motion,

Council adjourned until to-morrow 10 o'clock, A. M.

ATTEST: O. F. LAKE, Chief Cl'k.

WEDNESDAY, Jan. 28th, 1857.

MORNING SESSION.

Journal read and approved.

Prayer by the Chaplain.

Journal read and approved.

The special order of the day being the further consideration of C. Bill No. 12, entitled An act to erect the county of Omaha, was taken up.

Mr. Rogers chairman of the Select committee to whom was referred sundry petitions relative thereto reported the same back and moved to lay them on the table for the present.

Which was agreed to.

Mr. Miller moved that the subject under consideration be considered in committee of the whole.

Which motion was lost.

Mr. Allen moved the adoption of the majority report.

On motion,

The Council resolved itself into committee of the whole for further consideration of the subject.

The Council having resumed their business the committee rose and by their chairman Mr. McDonald, reported progress and asked leave to sit again.

On motion,

The report was adopted.

On motion,

The Council took recess until 2 o'clock, P. M.

AFTERNOON SESSION.

President in the chair.

On motion,

The Council again resumed itself into committee of the whole in the matter under consideration.

Mr. Kirkpatrick in the chair.

The Council having resumed their business,

The committee rose and by their chairman reported back the bill with the following amendment:

Strike out Omaha where it occurs and insert Sarpy, and recommend the

passage of the bill as amended.

On motion,

The report with the amendment was adopted.

Mr. Miller moved to adjourn,

Which motion was lost.

Question recurring on the adoption of the majority report.

Mr. Miller moved to adjourn,

Which motion was decided out of order by the chair.

Mr. Allen moved the previous question.

Mr. Salesbury moved to adjourn.

The ayes and nays were demanded and resulted as follows:

Ayes—Messrs. Furnas, McDonald, Miller, Puett, Rogers and Salesbury--6.

Nays—Messrs. Allen, Bradford, Clancy, Kirkpatrick, Reeves, Safford, and President—7.

So the motion was lost.

Question recurring on motion for the previous question,

The ayes and nays were ordered and resulted as follows:

Ayes—Messrs. Bradford, Clancy, Kirkpatrick, McDonald, Reeves, Safford and President—7.

Nays—Messrs. Allen, Furnas, Miller, Puett, Rogers and Salesbury—6.

So the motion prevailed.

Question on the previous question being the adoption of the majority report.

The ayes and nays were demanded and resulted:

Ayes—Messrs. Allen, Bradford, Clancy, Kirkpatrick, McDonald, Reeves, Safford and President—8.

Nays—Messrs. Furnas, Miller, Puett, Rogers and Salesbury—5.

So the report was adopted.

Mr. Miller moved to adjourn,

The ayes and nays were ordered and resulted:

Ayes—Messrs. Furnas, Kirkpatrick, Miller, McDonald, Puett, Rogers, and Salisbury—7.

Ayes—Messrs. Allen, Bradford, Clancy, Reeves, Safford, and President--6.

So the Council adjourned.

ATTEST, O. F. LAKE, Chief Clerk.

THURSDAY, JANUARY 29, 1857.

MORNING SESSION.

Council met pursuant to adjournment.

Prayer by the chaplain.

Journal read and approved.

On motion, Mr. Clancy,

The sergeant at-arms was excused until Saturday.

C. Bill No. 12, entitled An act to erect the county of Sarpy, was taken up.

Mr. Rogers introduced the following amendment,

Strike out "section 1," and insert the following,

Be it enacted by the Council and House of Representatives of the Territory of Nebraska; That the territory included within the following boundaries to wit: commencing at a point where the Platte river empties into the Missouri river, thence northerly along the main channel of the Missouri river to a point where the centre of township number fourteen north intersects the Missouri river, thence west along the centre of township number fourteen north to the Platte river, thence along down the main channel of the Platte to the place of beginning.

Question being on the amendment,

The ayes and nays were ordered and resulted:

Ayes—Messrs. Furnas, McDonald, Miller, Puett, Rogers, and Salesbury—6.

Nays—Messrs. Allen, Bradford, Clancy, Kirkpatrick, Reeves, Safford, and President—7.

So the amendment was lost.

Mr. Bradford moved that the bill be read a third time now,

The Ayes and nays were ordered and resulted:

Ayes—Messrs. Allen, Bradford, Clancy, Kirkpatrick, Reeves, Safford, and President—7.

Nays—Messrs. Furnas, Miller, McDonald, Puett, Rogers, and Salesbury—6.

So the motion prevailed.

Question recurring on its passage,

The ayes and nays were demand and resulted:

Ayes—Messrs. Allen, Bradford, Clancy, Kirkpatrick, Reeves, Safford, and President—7.

Nays—Messrs. Furnas, McDonald, Miller, Puett, Rogers, and Salesbury—1.

So the bill passed, and

On motion,

The title was agreed to.

The special order of the day, the same being the further consideration of the bill relative to the relation of the seat of government, was taken up.

Mr. Allen moved to postpone the consideration of the bill until Tuesday next.

Mr. Salesbury moved to amend by inserting "Fourth of July."

On which amendment the ayes and nays were ordered and resulted:

Ayes—Messrs. Miller, Puett, Rogers, and Salesbury—4.

Nays—Messrs. Allen, Bradford, Clancy, Furnas, Kirkpatrick, McDonald, Reeves, Safford, and President—9.

So the motion was lost.

Mr. Rogers moved that the bill be indefinitely postponed,

The ayes and nays were ordered and resulted as follows:

Ayes—Messrs. McDonald, Miller, Puett, Rogers, and Salesbury—5.

Nays—Messrs. Allen, Bradford, Clancy, Furnas, Kirkpatrick, Reeves, Safford, and President—8.

So the motion was lost.

Mr. Safford moved the bill be postponed until Thursday next.

The ayes and nays were demanded and resulted:

Ayes—Messrs. Allen, Bradford, Clancy, Kirkpatrick, McDonald, Reeves, Safford, and President—8.

Nays—Messrs. Furnas, Miller, Puett, Rogers, and Salesbury—5.

So the motion Prevailed.

Mr. Kirkpatrick moved that the Council resolve itself into a committee of the whole for the consideration of the Governor's Message.

Which was agreed to.

Mr. Miller in the chair.

The Council having resumed their business,

The committee arose and by their chairman reported the following resolution:

Which was adopted.

Resolved, That that portion of the Message relative to prices of lands adjacent to our most prosperous towns be referred to the committee on Education.

That portion relating to town lots, to the committee on Judiciary.

That portion relating to the morals of the people to a joint committe, consisting of,

Messrs. Bradford, McDonald, Salesbury, and President.

That portion relating to the election of James Buchanan to a select committee consisting of,

Messrs. Reeves, Miller, and Allen.

That portion relative to the laws of the Territory, to the committee on Judiciary.

That portion relative to Revenue, to the committee on Finance, Ways, and Means.

That portion relating to Schools and School Lands to the committee on Education.

That portion relative to Land Titles, to the committee on Judiciary.

That portion relating to Land Sales to a select committee consisting of,

Messrs. Allen, Puett, and Reeves.

That portion relative to New Land District, to the committee on Judiciary.

That portion relating to the Capital to the committee on Public Buildings.

That portion relative to the Penitentiary, to the committee on Public Buildings.

That portion relative to Geological Survey, to the committee on Agriculture.

That portion relative to Indians, to the committee on Military Affairs.

That portion relative to territorial Library, to the committee on Library.

On motion,

Council adjourned until to-morrow, 10 o'clock A. M.

ATTEST, O. F. LAKE, Chief Clerk.

FRIDAY, JANUARY 30, 1857

MORNING SESSION.

Council met pursuant to adjournment.

Prayer by the Chaplain.

On leave, House File No. 2 entitled An act to incorporate the City of Omaha was taken up, read a third time, passed, and, on motion, title agreed to.

The special order of the day the same being the consideration of several Bank Bills were taken up.

C. Bill No. 13, entitled An act to incorporate the Clinton Bank, being under consideration, Mr. Miller moved the bill be indefinitely postponed.

The ayes and nays were demanded and resulted,

Ayes—Messrs. Clancy, Miller, Rogers, and President—4.

Nays—Messrs. Allen, Bradford, Furnas, Kirkpatrick, McDonald, Puett, Reeves, Safford, and Salesbury—9.

So the motion was lost.

Mr. Puett moved to postpone the bill until Monday next at 10 o'clock.

The ayes and nays were demanded and resulted,

Ayes—Messrs. Miller, Puett, Reeves, Rogers, and President—5.

Nays—Messrs. Allen, Bradford, Clancy, Furnas, Kirkpatrick, McDonald, Safford, and Salesbury—8.

So the motion was lost.

The question recurring on ordering the bill engrossed for a third reading to-morrow,

Mr. Miller moved to lay the motion on the table.

The ayes and nays were ordered and resulted,

Ayes—Messrs. Miller, Puett, and Rogers—3.

Nays—Messrs. Allen, Bradford, Clancy, Furnas, Kirkpatrick, McDonald, Reeves, Safford, Salesbury, and President—10.

So the motion was lost.

Mr. Miller moved to postpone until fourth of July next.

The ayes and nays were demanded and resulted,

Ayes—Messrs. Miller and Rogers—2.

Nays—Messrs. Allen, Bradford, Clancy, Furnas, Kirkpatrick, McDonald, Puett, Reeves, Safford, Salesbury, and President—11.

So the motion was lost.

Mr. Miller moved to strike out the enacting clause.

The ayes and nays were demanded and resulted,

Ayes—Messrs. Miller, Puett, and Rogers—3.

Nays—Messrs. Allen, Bradford, Clancy, Furnas, Kirkpairick, McDonald, Reeves, Safford, Salesbury, and President—10.

So the motion was lost.

Mr. Miller introduced the following amendment, strike out the name of John W. Pattison and insert the name of Charles B. Huntington.

Mr. Rogers moved to amend the amendment by inserting John L. Brown.

Which amendment was lost.

Question being on the amendment of Mr. Miller,

The amendment was lost.

Mr. Rogers introduced the following amendment, after the name of John W. Pattison insert the name of James Jones,

Which motion was lost.

Mr. Safford moved the previous question.

The ayes and nays were ordered and resulted,

Ayes—Messrs. Bradford, Clancy, Furnas, Kirkpatrick, Reeves, Safford, and Salesbury—7.

Nays—Messrs. Allen, McDonald, Miller, Puett, Rogers, and President—6.

So the motion prevailed.

Question recurring on engrossing the bill for a third reading,

It was agreed to.

C. Bill No. 32, entitled An act to incorporate the Pacific Bank of Dakotah, was taken up.

Mr. Kirkpatrick moved that the bill be recommitted to Committee on Incorporations,

Which motion was agreed to.

C. Bill No. 8, entitled An act to incorporate the Bank of Columbus, was taken up.

Mr. Miller moved to strike out five hundred thousand and insert two hundred thousand.

The ayes and nays were demanded and resulted,

Ayes—Messrs. Allen, McDonald, Miller, Reeves, Rogers, and President—6.

Nays—Messrs. Bradford, Clancy, Furnas, Kirkpatrick, Puett, Safford, and Salesbury—7.

So the amendment was lost.

Mr. Rogers introduced the following amendment,

Before going into operation or issuing any bills, the said bank shall secure to the bill-holders by deposits with the Auditor of the Territory United States stock or stocks of some of the States of the Union at their par value in market to the amount of one third of what bills said bank may desire to issue, and on said stock being so deposited the auditor shall countersign if desired so many of such bills as will amount to three times the amount of stock so deposited, and no bills shall be issued by such bank but what shall be so countersigned.

On which amendment the ayes and nays were demanded and resulted,

Ayes—Messrs. McDonald, Miller, Puett, and Rogers—4.

Nays—Messrs. Allen, Bradford, Clancy, Furnas, Kirkpatrick, Reeves, Safford, Salesbury and President—9.

So the amendment was lost.

Mr. Miller moved the following amendment to Sec. 5:

Provided that this report shall show the amount of specie, the amount of

bills of other banks, the amount of exchange and the amount actually paid on each share of the stock subscribed: Also,

The amount of bills issued, the amount of certificates, the amount of bills or notes discounted, and the amount of discount for which said bank is responsible, that is its true financial condition may be known to the public.

On which motion the ayes and nays were demanded and resulted,

Ayes—Messrs. Allen, McDonald, Miller, Puett, Reeves, and President—6.

Nays—Messrs. Bradford, Clancy, Furnas, Kirkpatrick, Rogers, Safford, and Salesbury—7.

So the amendment was lost.

Mr. Salesbury moved the previous question,

Which was agreed to.

The question recurring on ordering the bill engrossed for a third reading to-morrow,

The ayes and nays were demanded and resulted,

Ayes—Messrs. Allen, Bradford, Clancy, Furnas, Kirkpatrick, McDonald, Safford, and Salesbury—8.

Nays—Messrs. Miller, Puett, Reeves, Rogers, and President—5.

So the bill was ordered engrossed.

Mr. Kirkpatrick, chairman of the Committee on Incorporations submitted the following

REPORT:

Your Committee on Incorporations to whom was referred

C. Bill No. 32, entitled An act to incorporate the Pacific Bank of Dakotah, beg leave to report the same back to the Council with the following amendment, and recommend its passage as amended, viz:

Strike out the names of "Augustus Kountz, William C. Brewster and Joseph Hallum," and insert the names of Orren J. Rose. Michael Diversey, and Wm. F. Lockwood."

On motion,

Report was adopted.

Mr. Salesbury moved a recess until 2 o'clock P. M.

Which was agreed to.

AFTERNOON SESSION.

President in the chair.

C. Bill No. 32, entitled An act to incorporate the Pacific bank of Dakotah, was taken up.

Mr. Bradford moved thet the bill be engrossed and read a third time to-morrow.

Mr. Rogers introduced the following amendment: Strike out Dakotah and insert Omadi.

The ayes and nays were demanded and resulted,

Ayes—Messrs. Furnas, Miller, Puett, Rogers, and Salesbury—5.

Nays—Messrs. Allen, Bradford, Clancy, Kirkpatrick, McDonald, Reeves, Safford, President—8.

So the motion was lost.

Mr. Rogers moved to strike out the enacting clause.

The ayes and nays were demanded and resulted,

Ayes—Messrs. Miller, Puett, and Rogers—3.

Nays—Messrs. Allen, Bradford, Clancy, Furnas, Kirkpatrick, McDonald, Reeves, Safford, Salesbury, and President—10.

So the motion was lost.

Mr. Safford moved the previous question.

The ayes and nays were demanded and resulted as follows,

Ayes—Messrs. Allen, Bradford, Clancy, Furnas, Kirkpatrick, McDonald, Reeves, Safford, Salesbury, and President—10.

Nays—Messrs. Miller, Puett, and Rogers—3.

So the motion prevailed.

Question recurring on ordering the bill engrossed for a third reading to-morrow.

The ayes and nays were demanded and resulted,

Ayes—Messrs. Bradford, Clancy, Furnas, Kirkpatrick, Furnas, McDonald, Reeves, Safford, Salesbury, and President—9.

Nays—Messrs. Miller, Puett, and Rogers—3.

So the bill was ordered engrossed.

C. Bill No. 33, entitled an act to incorporate the Bank of Plattsmouth, was taken up.

Mr. Miller moved that the bill be indefinitely postponed.

The Ayes and nays were demanded and resulted,

Ayes—Messrs. Miller, Puett, and Rogers—3.

Nays—Messrs. Allen, Bradford, Clancy, Furnas, Kirkpatrick, McDonald, Reeves, Safford, Salesbury, and President—10.

So the motion was lost.

Mr. Miller moved to adjourn,

Which on a division was lost.

Mr. Miller moved to postpone the bill until the fourth day of July next.

Mr. Kirkpatrick moved to lay the motion on the table.

Which motion was agreed to.

Mr. Miller moved to reconsider the vote by which the motion was laid on the table.

The ayes and nays were demanded and resulted,

Ayes—Messrs. Miller, Puett, and Rogers—3.

Nays—Messrs. Allen, Bradford, Clancy, Furnas, Kirkpatrick, McDonald, Reeves, Safford, Salesbury, and President—10.

So the motion was lost.

Mr. Rogers moved to amend by striking out the enacting clause.

The ayes and nays were called and resulted,

Ayes—Messrs. Miller, Puett, and Rogers—3.

Nays—Messrs. Allen, Bradford, Clancy, Furnas, Kirkpatrick, McDonald, Reeves, Safford, Salesbury, and President—10.

So the motion was lost.

Question recurring on ordering the bill engrossed for a third reading to-morrow.

The ayes and nays were demanded and resulted,

Ayes—Messrs. Allen, Bradford, Clancy, Furnas, Kirkpatrick, McDonald, Reeves, Safford, Salesbury, and President—10.

Nays—Mr. Miller, Puett, and Rogers—3.

So the bill was ordered engrossed.

Mr. Bradford, on leave, gave notice that he would on some future day ask leave to introduce a bill to incorporate a Bank at Buchanan, in which Geo. L. Miller, Charles B. Huntington, and Robert Schuyler, shall be sole proprietors.

Mr. Furnas, on leave, gave notice that he would on to-morrow or some future day ask leave to introduce a bill for an act to locate a Territorial Road from Nemaha City to Nebraska City.

Mr. Puett, chairman of the Committee on Expenditures to whom was referred

C. Bill No. 13, entitled An act providing for the payment of code commissioners and clerks, have had the same under consideration and report the same back without recommendation.

Said bill was taken up, read a second time, and ordered engrossed for a third reading to-morrow.

On motion,

Council adjourned until to-morrow at 10 o'clock A. M.

ATTEST, O. F. LAKE. Chief Clerk

SATURDAY, JANUARY 31, 1857.

MORNING SESSION.

Council met pursuant to adjournment.

Prayer by the Chaplain.

Journal read and approved.

Mr. Bradford, chairman of the Committee on the Judiciary to whom was referred

C. Bill No. 57, entitled An act to authorize county commissioners to license ferries have had the same under consideration and recommended its passage with the following amendments, viz:

Sec. 2. All acts and parts of acts inconsistent with this act be and the same are hereby repealed; Also,

Sec. 3. This act shall take effect from and after its passage.

Also have had under consideration:

C. Bill No. 69, entitled An act to repeal certain acts of the Legislature of Nebraska, passed at the first session, and recommend its passage without amendment. Also,

C. Bill No. 44, entitled An act concerning practice in Justice Courts. And

C. Bill No. 54, entitled An act in relation to the observance of the Sabbath, and recommend their reference to the Joint Committee on the Code.

Mr. Furnas, chairman of the Committee on Highways and Bridges. to whom was referred House File No. 5, entitled An act to locate a road from Plattsmouth to Chester.

House File No. 15, entitled An act to locate a Territorial Road from Elk Horn city to Elk Horn river.

H. F. No. 13, entitled An act to locate a road from Omadi to Running Water.

H. F. No. 17, entitled An act to locate a road from De Soto to Decatur.

H. F. No. 18, entitled An act to locate a road from Elk Horn city to Iron Bluffs.

H. F. No. 3, entitled An act to locate a road from Nebrasha City to Weeping Water.

C. Bill No. 66, entitled An act to establish a ferry at Lanerie.

C. Bill No. 47, entitled An act to incorporate the Sauntee Land and Ferry Company.

C. Bill No. 59, entitled An act to locate a road from Brownville to Kansas Line.

C. Bill No. 65, entitled An act to establish a ferry across the Platte river. And,

C. Bill No. 38, entitled An act to locate a road from Bellevue to Fremont, Have had the same under consideration and report back with the following amendments and recommend their passage as amended, to wit:

In C. Bill No. 65, Sec. 2 last line, strike out the word five and insert the word two.

In C. Bill No. 47 Sec. 5 4th line, strike out the word "six" and insert the word "two."

In C. Bill No. 66 Sec. 1, 11th line, strike out the word "four" and insert the word "two,"

Also add to Sec. 1 of the same bill the following:

"The rights and privileges herein granted shall not in any manner conflict with the rights and privileges of the Oak Bluffs Town and Ferry Company."

Also your committee have had under consideration:

House File No. 4, entitled An act to locate a Territorial Road from Brownville to New Fort Kearney, and recommend its passage with the following amendment, to wit:

In section 1, 3rd line, strike out the name of J. S. Minick and insert the name of J. L. Dozier; in the same section, 9th line strike out the words "and Blue City in Gage county."

In Sec. 2, 3rd line, immediately after the figures "1857" insert "or within three months thereafter."

Also add the following section:

Sec. 4. It is hereby provided that said commissioners need not for the present lay out and establish said road farther than the town of Tecumseh, but may at any time within two years from the passage of this act proceed in accordance with the provisions of this act to continue said road from Tecumseh to New Fort Kearney.

Sec. 5. This act to be in force from and after its passage.

Mr. Kirkpatrick chairman of the committee on Incorporations to whom was referred:

C. Bill No. 68, entitled An act to incorporate the Nebraska city Insurance company.

C. Bill No. 70, entitled an act to incorporate the Woodville Ferry company; also,

C. Bill No. 51, Joint resolution and memorial to the Senate and House of Representatives of the United States.

C. Bill No. 71, entitled An act to incorporate the City of Woodville.

C. Bill No. 61, entitled An act to incorporate the St. James and Minnesota ferry company, and recommend their passage. Also,

Your committee to whom was referred:

C. Bill No. 67, entitled An act to incorporate the town of Laniere have had the same under consideration and recommend its passage with the following amendments:

Section 5, The rights and privileges herein granted shall not in any manner conflict or interfere with the rights and privileges of the Oak Bluffs town and ferry company; also,

C. Bill No. 77, entitled An act to incorporate the town of Salem, in Richardson county, with the following amendments:

After the words "provided that" insert the words "the person recovering." also,

C. Bill No. 41, entitled An act to incorporate the Leau-qui-court company; with the following amendments:

Add to section first, after the words "marked" in the last line as follows to wit: "Commencing at a point on the right bank of the Leau-qui-court river one mile from its mouth thence run east parallel with the Missouri river to a point one mile west of Whyte Paint creek thence north to a point one quarter of a mile from the Missouri river thence east parallel with the Missouri river to Whyte Paint creek thence down said creek to the Missouri river thence up said river to the mouth of Leau-qui-court river thence up the right bank of said Leau-qui-court river to the place of beginning."

Add to section two, as follows:

"The whole or such part of said claim as the board of directors shall select for that purpose shall hereafter be known as the town of Neobrarah.

Also, add the following section,

"This act shall take effect from and after its passage."

Mr. Clancy chairman of the committee on Counties on leave presented the following report:

Your committee to whom was referred C. Bill No. 72, entitled An act to define the boundaries and locate the seat of justice of Platte county, have had the same under consideration and recommend their passage, with the following amendments:

Strike out the boundaries of said county and insert the following: "Beginning in the main channel of Platte river where the range line between six and seven east of the sixth principle meridian intersects the same, thence up said river in the middle of the main channel thereof to the point where the line between ranges two and three intersects the same, thence north on said line to the northwest corner of township twenty north of range three east thence east to the northeast corner of township twenty north of range six east, thence south to the place of beginning; also,

Insert the following after section three:

Section 5, "All acts and laws coming in conflict with or controvening any of the provisions of this act be and the same are hereby repealed." Also,

Your committee have had under consideration H. F. No. 10, entitled "An act to establish and define the boundaries of Johnson county;" and recommend its passage with the following amendments:

Strike out that portion of the act that defines the boundaries of said county and insert the following: "Beginning on the township line at a point three miles west of the northwest corner of Richardson county and running thence west to the southwest corner of township number four north of Range nine east of the sixth principle meredian thence north to the northwest corner of township number six north of range number nine east thence to the centre line of range number twelve east thence south on said line to the place of beginning." Also,

Insert the following as section 3,

"The east half of township number four north of range number twelve east, be and the same is hereby attached to and shall constitute a part of Nemaha county." Also,

Your committee to whom was referred: C. Bill No. 42, entitled An act to establish the county of Neobrarah have had the same under consideration and recommend its passage with the following amendments:

Strike out "Neobrarah, wherever it occurs in the bill and title and insert 'Leau-qui-court," also, strike out "St." in ninth line of same section.

Mr. Safford chairman of the committee on Education on leave reported back,

House File, No. 32, entitled a bill to revive the Plattsmouth Preparatory and Collegiate Institute, and recommend its passage without amendment.

Mr. Puett chairman of the committee on Expenditures to whom was referred, C. Bill No. 56, entitled An act to defray the expenses of taking the census of Nebraska have had the same under consideration and report the same back without amendment and recommend its passage.

Mr. McDonald chairman of the committee on Public Buildings to whom was referred,

H. F. No. 7, entitled a bill to authorize James A. Cardwell to erect and keep a mill dam across Spring Creek in Cass county, Nebraska Territory; have had the same under consideration and report the same back and recommend its passage.

Mr. Reeves chairman of the committee on engrossed bills, have had under consideration,

C. Bill No. 22, entitled An act relative to special Copartnership.

C. Bill No. 64, entitled An act to incorporate the Fontenelle bridge and ferry company.

C. Bill No. 63, entitled An act to locate a territorial Road from North Bend to Fontenelle; and,

C. Bill No. 72, entitled An act to define the boundaries locate the seat of justice and organize the county of Platte,

Report the same as correctly engrossed.

On motion,

C. Bill No. 14, entitled An act providing for the payment of Code Commissioners and Clerks, was taken up and recommitted to committee on Expenditures.

Mr. Bradford introduced the following Resolution:

Resolved, That a select committee of three be appointed by the President whose duty it shall be to investigate the acts of the Secretary of this Territory, both as Secretary and as Acting Governor with power to send for persons and papers and to cause depositions to be taken and read in relation to said investigation with power to hold sessions in the recess of the Legislature at such places as they may think proper, and to report to the Council at its next session.

Mr. Rogers introduced the following amendment:

"And the said committee be allowed out of the treasury of the Territory three dollars per day for services performed in making such investigation provided such investigation shall not incur an expense exceeding ten dollars."

Which motion was lost.

Question recurring on the resolution,

The ayes and nays were ordered and resulted:

Ayes—Messrs. Allen, Bradford, Furnas, Kirkpatrick, McDonald, Reeves, Safford, and President—8.

Nays—Messrs. Clancy, Miller, Puett, Rogers, and Salesbury—5.

So the resolution was adopted.

Messrs. Bradford, Miller, and Allen were appointed said committee.

The following notices of bills were introduced:

By Mr. Bradford:

I hereby give notice that I will on to-morrow or some future day ask leave introduce a Bill to provide for the disposal of Lands purchased in trust for town sites; also,

A bill to amend the attachment Laws in this Terrtory; also,

A bill for changing the time of holding District Courts; also,

A bill to authorize the City Council of Nebraska city to reduce the width of Kansas street in said city; also,

A bill to locate a territorial Road from Nebraska city via Dayton to the north line of Pawnee county in the direction of Ft. Riley.

By Mr. Allen:

I hereby give notice that I will on some future day introduce a Bill to dissolve the bonds of matrimony between Obediah Niles and Hannah Niles; also,

A bill to incorporate the Platte Valley Insurance company of Bellevue; also,

A bill to incorporate the Bank of Bellevue.

By Mr. Clancy:

I hereby give notice that I will on to-morrow or some future day introduce a bill to incorporate the Bow city ferry company; also,

A bill to define the boundaries and establish the seat of Justice of Cedar county; also.

A bill to incorporate Bow City; also,

A bill to incorporate the town of Cuming city, Washington county; also,

A bill to locate a territorial Road from Fontenelle, Dodge county to a point on the Missouri river opposite Cuming city.

By Mr Safford:

I hereby give notice that I will on some future day ask leave to introduce a bill for An act to incorporate the Dakotah city Collegiate and Preparatory institute; also,

A bill for An act to locate and establish a Road from Omaha city to Manhattan in Cuming county by way of Fontenelle in Dodge county.

By Mr. Furnas:

I hereby give notice that I will on some future day ask leave to introduce a bill for An act providing for the payment of interest on Territorial Warrants.

By Mr. Puett:

I hereby give notice that I will on some future day ask leave to introduce A bill to incorporate the town of Omadi in Dakotah county.

By Mr. McDonald:

I hereby give notice that I will on some future day bring in A bill relative to fences and enclosures; also,

A bill relative to estrays in this Territory.

By Mr. Kirkpatrick:

I hereby give notice that I will on some future ask leave to bring in A bill to incorporate the Fairview bridge and ferry company.

The following notices of bills were introduced and read first time:

C. Bill 79, entitled An act to incorporate the Covington town company.

C. Bill No. 8, entitled An act to authorize William Clancy and P. C. Sulivan to keep and run a ferry across the Missouri river at De Soto.

C. Bill No. 81, entitled An act to incorporate the Omaha and Florence omnibus line.

C, Bill No. 78, entitled An act to amend an act regulating fees and salaries, approved January 26th, 1856.

C. Bill No. 93. entitled An act to incorporate the Missouri river and Nebraska Railroad company; and,

C. Bill No. 100, entitled An act altering and repealing certain sections of chapter 27 of Part First of the Code of Nebraska.

C. Bill No. 82, entitled An act to define the boundaries and establish the seat of Justice of Cedar county,

Was introduced rule suspended, read first and second time and referred to committee on Counties.

C. Bill No. 68, entitled An act to authorize C. McDonald to erect a Mill dam was introduced rule suspended read a first and second time and referred to committee on Agriculture.

C. Bill No. 87, entitled An act to allow a premium for killing wolves and wild cats was introduced, rule suspended read a first and second time and referred to the committee on Military Affairs.

C. Bill No. 98, entitled An act to incorporate the Papillion Mill company.

C. Bill No. 96, entitled An act to incorporate the town of Manchester.

C. Bill No. 97, entitled An act to incorporate the town of Marietta.

C. Bill No. 94, entitled An act to incorporate the Ft. Calhoun and Iowa ferry.

C. Bill No. 84, entitled An act to incorporate the Nebraska Settlement company; and,

C. Bill No. 91, entitled An act to incorporate the Waterville town and manufacturing company; were introduced rule suspended read a second time and referred to committee on Incorporations.

C. Bill No. 92, entitled An act to dissolve the bonds of matrimony between Obediah Niles and Hannah Niles; was introduced rules suspended, read a first and second time and referredto committee on Judiciary.

C. Bill No. 83, entitled An act to locate a territorial Road from Nemaha city to Nebraska city; and,

C. Bill No. 90, entitled An act to locate a territorial Road therein named; were introduced rule suspended read first and second time and referred to committee on Highways, Bridges and Ferries.

C. Bill No. 85, entitled An act to incorporate the Salem Collegiate Institute.

C. Bill No. 95, entitled An act to incorporate the University of Nebraska at Saratoga.

C. Bill No. 89, entitled An act to incorporate the Rock Bluffs Seminary; Were introduced rule suspended read first and second time and referred to committee on Education.

C. Bill No. 88, entitled An act providing for interest on Territorial Warrants; was taken up, rule suspended, read first and second time and referred to committee on Expenditures.

C. Bill No. 99, entitled An act to incorporate the Nebraska Medical Society; was introduced, rules suspended, read first and second time and ordered ongrossed ror a third reading.

On motion,

Council adjourned until Monday 2 o'clock, P. M.

ATTEST: O. F. LAKE, Chief Cl'k.

MONDAY, FEBRUARY 2, 1857.

AFTERNOON SESSION.

Council met pursuant to adjournment.

Prayer by the Chaplain.

Journal read and approved.

Mr. Clancy, chairman of the committee on Counties to whom was referred:

C. Bill No. 82, entitled An act to define the boundaries and establish the Seat of Justice of Cedar county; have had the same under consideration and recommended its passage without amendment.

Mr. Reeves, chairman of the Committee on Engrossed Bills to whom was referred:

C. Bill No. 62, entitled An act to establish a territorial Road from Omaha city to Chester in Lancaster county,

C. Bill No. 32, entitled An act to incorporate the Pacific Bank of Dakotah,

C. Bill No. 13, entitled An act to incorporate the Clinton Bank,

C. Bill No. 8, entitled An act to incorporate the Bank of Columbus; report the same back as correctly engrossed,

And further your committee are of the opinion that the following bills are sufficiently correct to dispense with their engrossment, viz:

C. Bill No. 34, entitled An act to charter the Bank of Plattsmouth; and,

C. Bill No. 37, entitled An act to establish a territorial Agricultural society.

Mr. Safford chairman of committee to whom was recommitted,

C. Bill No. 60, Joint resolution and memorial relative to a grant of land to Trustees of the Simpson University located at Omaha city, together with the report of the committee on Education report the said bill accompanying the report back to the Council and recommend the passage of the bill as amended.

The following notices of bills were introduced and read:

By Mr. McDonald:

I hereby give notice that on some future day I will ask leave to introduce a bill for An act to charter the Southern Bank of Nebraska; also,

A bill to amend An act defining the boundaries of Richardson county,

By Mr. Kirkpatrick:

I hereby give notice that I will on some future day ask leave to introduce a bill to provide for taking a census of the people of Nebraska and apportioning the Councilmen and Representatives of this Territory; also,

A bill for an act to provide for the relocation of county seats.

By Mr. Salesbury:

I hereby give notice that I will on some future day introdnce a bill to extend the western boundary of Douglas county to the Platte river,

By Mr. Safford:

I hereby give notice that I will on some future day introduce a bill for an act to incorporate the town of Fairview, N. T.

By Mr. Clancy:

I hereby give notice that I will on some future day as leave to introduce a bill to alter the precinct lines of Washington county, so as to admit of the creation of an election precinct in the south part of said county to be called the Lesa precinct,

The following bills were introduced and read first time,

C. Bill No. 101, entitled An act to incorporate the Dakotah city Collegiate and Preparatory Institute,

C. Bill No. 102, entitled An act to incorporate the Nebraska University of the Homeopathic healing art, and Law Institution, at Wyoming, N T,

C. Bill No. 103, entitled An act to authorize certain persons therein named to keep a Ferry at Wyoming city,

C. Bill No. 104, entitled An act to locate a territorial Road from Fontenelle Dodge county to a point on the Missouri river opposite Cuming city, Washington county,

C. Bill No. 105, entitled An act to incorporate the Blayburg town and ferry company,

C. Bill No. 106, entitled An act to incorporate Bow city,

C. Bill No. 107, entitled An act to incorporate the town of Cuming city,

C. Bill No. 108, entitled An act to incorporate the Bow city Ferry company; and,

C. Bill No. 110, entitled An act to incorporate the Bank of Bellevue,

C. Bill No. 109, entitled An act to relocate county seats; was introduced rule suspended read first and second times and referred to a select committee consisting of

Messrs. Kirkpatrick, Puett, and Rogers.

C. Bill No. 100, entitled An act altering and repealing certain sections of chapter 27 of part first of the Code of Nebraska, was taken up and

On motion, of Mr. Rogers,

Indefinitely postponed.

C. Bill No. 79, entitled An act to incorporate the Covington town company,

C. Bill No. 93, entitled An act to incorporate the Missouri river and Nebraska railroad company; and,

C. Bill No. 75, entitled An act to incorporate the town of Leman in Gage county; were taken up and read a second time and referred to the committee on Incorporations.

C. Bill No. 80, entitled An act to authorize William Clancy and P. O. Sullivan to keep and run a ferry across the Missouri river at DeSoto,

C. Bill No. 74, entitled An act to establish a Ferry across the Missouri river at Golden Gate; and,

C. Bill No. 73, entitled An act to charter a Ferry across the Missouri river at Monona city, in Monona county; were taken up read a second time and referred to committee on Highways, Bridges, and Ferries.

C. Bill No. 76, entitled An act authorizing County Commissioners to locate land for the benefit of the county seats; and,

C. Bill No. 78, entitled An act to amend an act regulating Fees and Salaries, approved January 26, 1856; were taken up read a second time and referred to committee on Judiciary.

C. Bill No. 81, entitled An act to incorporate the Omaha and Florence Omnibus line; was taken up read a second time and referred to committee on Agriculture.

H. F. No. 10, entitled An act to establish and define the boundaries of Johnson county; was taken up and recommitted to committee on Counties.

C. Bill No. 59, entitled a Bill to establish a territorial road from Brownville to Kansas line, was taken up,

Mr. McDonald offerred the following amendment:

In the first section amend by striking out the names of "Richard Brown and Nathan Haywood" and insert the names of "John Fleming and P. M. Rogers;" also, strike out "Brownville via" insert after "Nemaha city via," after the word "Table Rock" insert "Pawnee city." In second section strike out "Brownville" and insert "Nemaha city."

On motion,

The bill and the amendments were referred to a select committee consisting of.

Messrs. Furnas, McDonald, and Reeves.

The following Message was received from the House:

HOUSE OF REPRESENTATIVES,
February 2d, 1857.

Mr. President:—

I herewith return Council Bill No. 31, entitled A bill to amend an act to incorporate the town of Brownville; also,

C. Bill No. 2, entitled A bill for an act to incorporate a bank at DeSoto Washington county,

The same having passed the House without amendment.

S. M. CURRAN, chief cl'k.

The following bills were taken up and ordered engrossed for a third reading, viz:

C. Bill No. 42, entitled An act to establish the county of Leau-qui-court,

C. Bill No. 72, entitled An act to define the boundaries, locate the seat of justice and organize the county of Platte.

C. Bill No. 67, entitled An act to incorporate the town of Laniere,

C. Bill No. 77, entitled An act to incorporate the town of Salem in Richardson county,

C. Bill No. 65, entitled An act to establish a Ferry across the Platte river,

C. Bill No. 69 entitled An act to repeal certain acts of the Legislative Assembly of Nebraska, passed at the first session,

C. Bill No. 66, entitled An act to authorize Samuel L. Campbell and Henry C. Rariden, to establish a ferry at the town of Laniere opposite the mouth of St. James River, in the Territory of Nebraska,

C. Bill No. 41, entitled An act to incorporate the Leau-qui-court company,

C. Bill No. 71, entitled An act to incorporate the city of Woodville; and,

C. Bill No. 68, entitled An act to incorporate the Nebraska city Insurance company.

The following bills were taken up and ordered to a third reading to-morrow; viz:

C. Bill No. 47, entitled An act to incorporate the Sauntee Land and Ferry company,

C. Bill No. 61, entitled An act to incorporate the St James and Minnesota Ferry company,

C. Bill No. 70, entitled Joint resolution and memorial to the Senate and House of Representative of the United States,

C. Bill No. 57, entitled An act to authorize county commissioners to license ferries,

C. Bill No. 56, entitled An act to defray the expenses of taking the census of Nebraska,

C. Bill No. 38, entitled An act to locate a territorial Road from Bellevue via Hazleton and Iron Bluff to Fremont,

H. F. No. 3, entitled An act to locate a Territorial road from Nebraska City to Weeping Water Falls via. Spring Grove,

H. F. No. 4, entitled An to establish a territorial Road from Brownville to New Fort Kearney,

H. F. No. 5, entitled a bill for a road from Plattsmouth to Chester Lancaster county,

H. F. No. 7, entitled An act to authorize James A Cardwell to erect and keep a mill dam across Spring Creek in Cass county,

H. F. No. 13, entitled An act to locate a road from Omadi to Running Water,

H. F. No. 15, entitled An act to locate a Territorial Road from Elk Horn city to Elk Horn river,

H. F. No. 17, entitled An act to locate a road from De Soto, Washington county to Decatur, Burt county, via Woodville and Central city,

H. F. No. 18, entitled An act to locate a territorial road from Elk Horn city to Iron Bluffs,

H. F. No. 32, entitled An act to revive the Plattsmouth Preparatory and Collegiate Institute,

C. Bill No. 22, entitled An act in relation to special copartnership,

C. Bill No. 63, entitled An act locating a territorial Road from North Bend to Fontenelle.

C. Bill No. 64, entitled An act to incorporate the Fontenelle Bridge and Ferry comyany; were taken up, read a third time, passed, and

On motion,

Title was agreed to.

C. Bill No. 8, entitled An act to incorporate the bank of Columbus; was taken up,

Mr. Salesbury moved to adjourn,

Mr. Miller, moved to lay the motion on the table,

Which motion was lost.

Question recurring on the motion to adjourn,

The Ayes and nays were ordered and resulted:

Ayes—Messrs. Allen, Furnas, Kirkpatrick, and Safford—4.

Nays—Messrs. Clancy, McDonald, Miller, Puett, Reeves, Rogers, Salesbury, and President—8.

So the motion was lost.

Mr. Rogers moved that the bill be recommitted to a select committee,

Which was agreed to.

Messrs. Reeves, Allen, and Salesbury were appointed said committee.

Mr. Safford moved to adjourn,

The ayes and nays were demanded and resulted,

Ayes—Messrs. Furnas, Kirkpatrick, McDonald, and Safford—4.

Nays—Messrs. Allen, Clancy, Miller, Puett, Reeves, Rogers, Salesbury, and President—8.

So the motion was lost.

C. Bill No. 34, entitled A bill to charter the Bank of Plattsmouth; was taken up, and

On motion of Mr. Rogers,

Referred to the said Select committee.

C. Bill No. 32, entitled An act to incorporate the Pacific Bank of Dakotah; was taken up,

Mr. Rogers moved that the bill be referred to the Select committee,

On which motion the ayes and nays were demanded and resulted,

Ayes—Messrs. Allen, Clancy, Furnas, McDonald, Miller, Puett, Reeves, Rogers, Salesbury, and Presi-dent—10.

Nays—Messrs. Kirkpatrick, and Safford—2.

So the motion prevailed.

C. Bill No. 13, entitled An act to incorporate the Clinton Bank; was taken up, and

On motion,

Referred to the Select committee,

On which motion the ayes and nays were demanded and resulted,

Ayes—Messrs. Clancy, Furnas, McDonald, Puett, Miller, Rogers, Salesbury, and President—8.

Nays—Messrs. Kirkpatrick, Reeves, and Safford—3.

So the Council adjourned.

ATTEST, O. F. LAKE, Chief Clerk.

TUESDAY, FEBRUARY 3, 1857.

MORNING SESSION.

Council met pursuant to adjournment.

Prayer by the chaplain.

Journal read and approved.

Mr. Rogers chairman of the committee on Agriculture, to whom was referred:

C. Bill No. 86, entitled An act to authorize C. McDonald to erect a mill-dam, have had the same under consideration and report the same back to the Council and recommend its passage without amendment.

Mr. Puett, chairman of the committee on Expenditures, to whom was referred:

C. Bill No. 88, entitled An act to provide for interest on Territorial warrants, have had the same under consideration and respectfully report the same back without amendment and recommend its passage.

Mr. Furnas, chairman of the committee on Highways, Bridges and Ferries, to whom was referred:

C. Bill No. 90, entitled An act to locate a Territorial Road from Omaha city to Nebraska city,

C. Bill No. 83, entitled An act to locate a Territorial Road from Nemaha city to Nebraska city, and

C. Bill No. 80, entitled An act supplementary to an act entitled an act to authorize Wm. Clancy and P. C. Sullivan to keep and run a ferry across the Missouri river at De Soto,

Have had the same under consideration and respectfully report them back to the Council and recommend their passage without amendment.

Mr. Kirkpatrick, chairman of the committee to whom was referred:

C. Bill No. 91, entitled An act to incorporate the Waterville Town and Ferry company,

C. Bill No. 97, entitled An act to incorporate the town of Marietta,

C. Bill No. 96, entitled An act to incorporate the town of Manchester, and

C. Bill No. 94, entitled an act to incorporate the Ft. Calhoun and Iowa Ferry company,

Have had the same under consideration and respectfully report the said bills back to the Council, and recommend their passage without amendment.

Mr. Safford, chairman of the Committee on Education, to whom was referred:

C. Bill No. 89, entitled An act to incorporate the Rock Bluffs Seminary,

C. Bill No. 85, entitled An act to incorporate the Salem Collegiate Institute, and

C. Bill No. 95, entitled An act to incorporate the University of Nebraska at Saratoga,

Have had the same under consideration and recommend their passage without amendment.

The following communication was received from the House:

HOUSE OF REPRESENTATIVES,
February 3d, 1857.

Mr. President:—

I herewith return to your honorable body,

C. Bill No. 19, entitled An act to establish a ferry across the Missouri river at Omadi; also,

C. Bill No. 25, entitled An act to incorporate the Loup Fork Bridge and Ferry company;

The same having passed the House without amendment.

And I am directed to inform your honorable body that the House has passed

H. File No. 82, entitled A bill to incorporate the St. Mary's Female Academy; and respectfully ask the concurrence of the Council therein.

S. M. CURRAN, Chief Clerk.

The following notices of bills were introduced:

By M. Puett,

I hereby give notice that I will on to-morrow or some future day introduce a bill to incorporate the Omadi Collegiate Institute; also,

A bill granting change of venue from one justice of the peace to another in the same county; also,

A bill providing for the naturalization of foreign citizens; also

A bill to incorporate the Omadi and Sioux city Omnibus line; also,

A bill for a Territorial Road from Omadi to the town of Covington, opposite Sioux city, Iowa.

By Mr. Clancy:

I hereby give notice that I will on some future day during the session introduce a bill for the relief of insolvent debtors.

C. Bill No. 112, entitled An act to incorporate the Platte Valley Insurance company of Bellevue; and

C. Bill No. 113, entitled An act to incorporate the town of Fairview, were introduced and read first time.

C. Bill No. 114, entitled An act creating a new precinct in Washington county; and

C. Bill No. 115, entitled an act to define the boundaries and locate the seat of justice of Lancaster county, were introduced, rule suspended, read first and second time, and referred to committee on Counties.

C. Bill No. 111, Joint Resolution and Memorial to Congress for the relief of citizens of Richardson county, was introduced, rule suspended, read first, second and third time, passed and title agreed to.

C. Bill No. 103, entitled An act to authorize certain persons therein named to keep a ferry at Wyoming city, N. T.

C. Bill No. 104, entitled An act to locate a Territorial Road from Fontenelle to a point opposite Cuming city on the Missouri river;

C. Bill No. 105, entitled An act to incorporate the Blayburg Town and Ferry company; and

C. Bill No. 108, entitled An act to incorporate the Bow city Ferry company, were taken up, read a second time and referred to committee on Highways, Bridges and Ferries.

C. Bill No. 106, entitled An act to incorporate Bow city; and

C. Bill No. 107, entitled An act to incorporate the town of Cuming city, were taken up, read a second time and referred to committee on Incorporations.

C. Bill No. 110, entitled An act to incorporate the Bank of Bellevue, was taken up, read second time and referred to select committee on Banks.

C. Bill No. 65, entitled An act to establish a ferry across the Platte river;

C. Bill No. 102, entitled An act to incorporate the Homeopathic, healing, art and law Institution: and

C. Bill No, 101, entitled An act to incorporate the Dakotah city Collegiate and Preparatory Institute, were taken up, read a second time and ordered engrossed for a third reading to-morrow.

C. File No. 60, Joint resolution and Memorial relative to a grant of land to trustees of Simpson University, was taken up.

Mr. Allen introduced the following amendment:
Insert after the word "unentered" the word "unclaimed."
Which amendment was adopted.
The said bill was read a second time and ordered engrossed for a third reading to-morrow.

The following bills were taken up, read a third time, passed and title agreed to—to wit:
C. Bill No. 37, entitled An act to establish a Territorial Agricultural Society;
C. Bill No. 38, entitled An act to locate a territorial Road from Bellevue via Hazleton and Iron Bluffs to Fremont;
C. Bill No. 47, entitled An act to incorporate the Sauntee Land and Ferry company;
C. Bill No. 51, Joint resolution and memorial to the Senate and House of Representatives of the United States;
C. Bill No. 56, entitled an act to defray the expenses of taking the census of Nebraska;
C. Bill No. 57, entitled An act to authorize county commissioners to license ferries;
C. Bill No. 62, entitled An act to locate a territorial Road from Omaha to Chester in Lancaster county;

C. Bill No. 70, entitled An act to incorporate the Woodville Ferry company; also,
C. Bill No. 61, entitled An act to incorporate the St. James and Minnesota Ferry company.

Also the following House Bills were taken up, read a third time. passed and title agreed to—viz:
H. F. No. 3, entitled An act to locate a territorial Road from Nebraska city to Weeping Water falls via Spring Grove;
H. F. No. 4, entitled An act to establish a territorial Road from Brownville to New Fort Kearney;
H. F, No. 5, entitled An act for a Road from Plattsmouth to Chester, Lancaster county, N. T.;
H. F. No. 7, entitled An act to authorize James A. Cardwell to erect and keep a Mill Dam across Spring creek in Cass county;
H. F. No. 13, entitled An act to locate a Territorial Road from Omadi to the mouth of Running Water river;
H. F. No. 15, entitled An act to locate a territorial Road from Elk Horn city the forks of the Elk Horn river;
H. F. No. 17, entitled An act to locate a territorial Road from DeSoto to Washington county, to Decatur Burt county;
H. F. No. 18, entitled An act to establish a territorial Road from Elk Horn city to Iron Bluffs; and,
H. F. No. 32, entitled An act to revive the Plattsmouth Preparatory and Collegiate institute.

On motion,
Council adjourned.
ATTEST, O. F. LAKE, Chief Clerk.

WEDNESDAY, FEBRUARY 4, 1857.

MORNING SESSION.

Journal read and approved.

Prayer by the Chaplain.

Journal read and approved.

Mr. Kirkpatrick presented sundry petitions relative to the removal of the county seat of Cass county.

Which, on motion, were laid on the table for the present.

Mr. Puett, chairman of the committee to whom was referred the petition of D. L. McGary, respectfully submitted the following bill entitled An act for the relief of D. L. McGary and recommend its passage.

Mr. Kirkpatrick, chairman of the select committee to whom was referred: C. Bill No. 109, entitled a bill for an act re-locating county seats, respectfully report that they have carefully considered the same, and report the same back and recommend its passage without amendment, believing that if the Council pass said bill it will set at rest all questions in relation to county seats, and recognizing as we do the democratic doctrine of allowing the people to regulate their own local matters, we cannot too earnestly recommend the passage of this bill.

The committee on Highways, Bridges and Ferries, to whom was referred:

C. Bill No. 103, entitled An act to establish a ferry across the Missouri river at Wyoming;

C. Bill No. 104, entitled A bill for an act to locate a Territorial Road from Fontenelle to the Missouri river opposite Cuming city;

Have had the same under consideration and report back with the following amendments and recommend their passage as amended:

In C. Bill No. 203, Sec. 1, 8th line, strike out the word "three" and insert the word "two."

Respectfully submitted,

R. W. FURNAS, chairman.

The select committee to whom was referred:

C. Bill No. 59, entitled An act to locate a road from Brownville to Kansas Line; have had the same under consideration and report back with the following amendment, and recommend its passage as amended, viz:

In section one, strike out the name of "Jerome Hoover" and insert the name of "John Fleming and P. M. Rogers."

In same section strike out "Nemaha city" and insert "St. George."

Also add to section two the following:

The two commissioners first named shall view and locate said road as far as

the town of Table Rock, and the last two named shall view and locate said road from Table Rock to the Kansas Line.

R. W. FURNAS, chairman.

The committee on Highways, Bridges and Ferries, to whom was referred:
C. Bill No. 74, entitled An act to establish a ferry across the Elk Horn river at Golden Gate;
C. Bill No. 73, entitled An act to charter a ferry across the Missouri river opposite Menona city, Iowa;
Have had the same under consideration and report back with the following amendments, viz:
In C. Bill No. 74, 2nd sec., last line, strike out the word "five" and insert the word "two;"
In C. Bill No. 73, 2nd sec., 2nd line, strike out the words "three and a half" and insert the word "two;"
And recommend their passage as amended.

Respectfully submitted,

R. W. FURNAS, chairman.

Mr. Bradford chairman of the committee to whom was referred:
C. Bill No 78, entitled An act to amend an act regulating fees and salaries; Also,
C. Bill No 92, entitled An act to divorce Obediah Niles and Hannah Niles;
Have had the same under consideration, and recommend their passage without amendment.

Mr. Clancy chairman of the committee on Counties to whom was referred:
C. Bill No 115, entitled An act to define the boundaries nnd locate the Seat of Justice of Lancaster county; have had the same under consideration and recommend its passage without amendment.

Mr. Reeves, chairman of the committee on Engrossed and Enrolled Bills, to whom was referred:
C. Bill No 69, entitled An act to repeal certain acts of the Legislative Assembly of Nebraska, passed at the first session of the Legislative Assembly, correctly engrossed; Also your committee are of the opinion that
C. Bill No. 71, entitled An act to incorporate the city of Woodville; And
C. Bill No 68, entitled An act to incorporate the Nebraska City Insurance company; are sufficiently correct to dispense with their engrossment;
Also that,
C. Bill No 42, entitled An act to establish the county of L'eau-qui-court, is correctly engrossed; but we would respectfully suggest that the bill is defective and should be recommitted to the standing committee on counties.

Mr. Miller chairman of the committee on the code to whom was referred:
C. Bill No. 54, entitled An act in relation to the observance of the Sabbath; And,
C. Bill No. 44, entitled An act regulating the practice of Justice courts in civil cases; report the same back and recommend their reference to committee on Judiciary.

Mr. Clancy chairman of the committee to whom was referred :

H. F. No. 10, entitled An act to establish and define the boundaries of Johnson county, report that they have had the same under consideration, and after a careful examination report the same back and recommend the passage of the bill without amendment.

Mr. Reeves introduced the following :

I hereby give notice that I will on to-morrow or some subsequent day ask leave to introduce a bill to provide for taking the census of the year 1857.

Mr. Kirkpatrick the following :

I hereby give notice that I will ask leave on some day of the present session to bring in a bill to locate and establish a Territorial Road from the Platte river to Nebraska city to run as near as practicable on the range line dividing ranges thirteen and fourteen.

The following bills were introduced and read first time, rule suspended and read second time by their titles and referred to committee on Incorporations:

By Mr. Puett :

C. Bill No 117, entitled An act to incorporate the Omadi Collegiate Institute; And

By Mr. Bradford:

C. Bill No. 121, entitled An act to authorize the city council of Nebraska city to reduce the width of Kansas street and vacate certain alleys.

The following bills were introduced and read a first time :

By Mr. Safford:

C. Bill No 118, entitled An act to locate a Territorial Road from Omaha city via Fontenelle to Manhattan in Cuming county.

By Mr. Allen:

C. Bill No 120, entitled An act to incorporate the Platte Ford Ferry company.

H. F. No 82, entitled A bill for an act to incorporate St. Mary's Female Academy, was read the first time, rule suspended, read a second time by its title and referred to committee on Education.

Mr. Clancy introduced the following resolution which was adopted :

Resolved, That Hon. Isaac Parish of De Soto, be permitted to take a seat within the bar of the Council at pleasure.

The following message was received from the House :

HOUSE OF REPRESENTATIVES,
February 3, 1857.

Mr. President :—

I herewith return to your honorable body :

C. Bill No 3, entitled An act to incorporate the Chester Salt Manufacturing company ;

C. Bill No 4, entitled An act to locate and establish a Territorial Road from Nebraska city and Kearney city landing to Brownville ;

C. Bill No. 6, entitled A bill for an act to establish the north line of Washington county ;

C. Bill No 15, entitled An act incorporating the Nemaha county Agricultural Society ;

C. Bill No 17, entitled An act to establish a Territorial Road from Brownville to Nemaha city;

C. Bill No. 21, entitled A bill to legalize the appointment and acts of C. Mather as the assessor for Washington county for the year 1856;

C. Bill No 30, entitled An act for the relief of E. Estabrook;

C. Bill No 49, Joint Resolution and Memorial relative to Pacific Railroad;

C. Bill No 50, memorial and joint resolution in relation to the policy of annexing a portion of Minnesota to Iowa;

C. Bill No. 53, entitled a bill for an act to provide for the permanent location of the county seat of Richardson county, N. T.;

C. Bill No 58, entitled A bill for an act to incorporate the Brownville Lyceum;

C. Bill No 111, Preamble and Resolution for the relief of citizens of Richardson county;

The same having passed the House without amendment. Also,

C. Bill No. 5, entitled A bill to establish and keep a ferry across the Platte river at Cedar Island in Cass county, which passed the House with the following amendment in the 6th section, by striking out the words "county commissioners of Cass county" and insert the "Legislature of Nebraska."

I would further inform your Hon. Body that the House have passed:

H. F. No 24, entitled An act to define the boundaries of Cuming county and change the name of the county seat thereof;

H. F. No 9, entitled An act to charter the Bank of Tekama in Burt county;

H. F. No 28, entitled An act to incorporate the Fort Calhoun manufacturing company;

H. F. No 40, entitled A bill for an act to establish a Ferry across Platte river near the mouth of the Horn river;

H. F. No 38, entitled An act to incorporate the Dodge county Agricultural Society

H. F. No 57, entitled A Bill permitting claimants to fence along the Highways;

H. F. No 16, entitled An act to authorize Slaughter and Shaffer to keep a Ferry at the mouth of the Platte river;

H. F. No 39 entitled An act to incorporate the Sauntee Land and Ferry Company;

H. F. No 31, entitled A bill for an act to incorporate the city of Louisville;

H. F. No 34, entitled A bill to create the office of Territorial Reporter; And,

H. F. No 43, entitled A bill to establish a territorial Road.

And respectfully ask the concurrence of the Council therein.

S. M. CURRAN, Chief Clerk.

On motion,

The Council took up that portion of the message from the House which relates to Council Bill No 5.

On motion,

The House amendment to C. Bill No 5, entitled A bill to establish and keep a Ferry across Platte river at Cedar Island in Cass county was concurred in by the Council.

C. Bill No 112, entitled An act to incorporate the Platte Valley Insurance company at Bellevue; and

C. Bill No 113, entitled A bill to incorporate the town of Fairview; were taken up, read a second time and referred to the standing committee on Incorporations.

The following bills were taken up and ordered engrossed for a third reading to-morrow.

C. Bill No. 86, entitled An act to authorize C. McDonald to erect a mill dam;

C. Bill No. 83, entitled A bill for an act to locate a Territorial Road from Nemaha city to Nebraska city;

C. Bill No. 88, entitled A bill for an act to provide for interest on Territorial warrants;

C. Bill No 89, entitled A bill for an act to incorporate the Rock Bluffs Seminary;

C. Bill No 91, entitled A bill for an act to incorporate the Waterville town and manufacturing company;

C. Bill No 95, entitled An act of incorporation of the University of Nebraska at Saratoga;

C. Bill No. 96, entitled An act to incorporate the town of Manchester;

C. Bill No 97, entitled An act to incorporate the town of Marietta;

C. Bill No. 80, entitled An act supplementary to an act entitled an act to authorize Wm. Clancy and P. C. Sullivan to keep and run a ferry across the Missouri river at De Soto in Washington county, was taken up.

Mr. Miller offered the following amendment to section 5, which was adopted:

Provided nothing in this act shall be so construed as to confer the powers and privileges of banking.

The bill was ordered engrossed for a third reading to-morrow.

C. Bill No 85, entitled A bill to incorporate the Salem collegiate institute; And

C. Bill No 90, entitled A bill for an act to locate a territorial Road therein named; were ordered to a third reading to-morrow without engrossment.

C. Bill No 94, entitled An act to incorporate the Ft. Calhoun and Iowa Ferry company, was recommitted to the committee on Highways, Bridges and Ferries.

The committee on counties and county boundaries, to whom was referred: Council File No. 114, have had the same under consideration, beg leave to make the following

REPORT:

In the Southern portion of Washington county is a large body of timber within and around which a dense population has already settled and stimulated by the superior advantages of the country is rapidly increasing. As the precincts are now arranged this population are now compelled to go to Ft. Calhoun to deposit their votes. A flourishing town is started in this immediate vicinity at a place called Lesa—furnishing ample accommodations for holding elections, and which will be much more convenient to all the

inhabitants of the Southern portion of Washington county than Fort Calhoun where they have hitherto been compelled to attend the elections. In the opinion of your committee the inestimable right of suffrage shall be secured by all the guarantees and facilities which legislatron can throw around it, and this object will be most surely attained by making the ballot box accessible to all. We would therefore respectfully recommend the passage of the bill.

WM. CLANCY, chairman.

Mr. Bradford moved that the committee on the code be requested to report to the Council the bill relative to practice in justice's courts.

Carried.

On motion,

The Council adjourned until to-morrow 10 o'clock, A. M.

ATTEST, O. F. LAKE, chief clerk.

THURSDAY, FEBRUARY 5, 1857.

MORNING SESSION.

Council met.

Prayer by the chaplain.

Journal read.

On motion,

The bill entitled An act to re-locate the seat of government, the same being the special order of the day, was taken up and

On motion of Mr. Kirkpatrick,

Indefinitely postponed.

The following message was received from the Governor by his private secretary:

Mr. President:—

I am instructed by His Excellency the Governor to inform you that he has signed and approved an act entitled An act to incorporate the Loup Fork Bridge company.

JOHN C. TURK, Private Secretary.

Mr. Clancy, chairman of the committee on counties to whom was referred C. Bill No. 42, entitled An act to establish the county of L'eau-qui-court; have had the same under consideration and recommend its passage by adding the following section:

"SEC. 3. This act shall take effect from and after its passage."
And recommend the passage of the bill as amended.

Mr. Furnas, chairman of the committee to whom was referred:
C. Bill No. 105, entitled A bill for an act to incorporate the Blayburg Town and Ferry company;
C. Bill No. 108, entitled A bill for an act to incorporate the Bow city Ferry company;
Have had the same under consideration and report back with the following amendments and recommend their passage as amended:
In C. Bill No. 105, sec. 4, 4th line, strike out the word "six" and insert the word "two."
Also add to the same section the following:
Provided that no privilege herein granted shall conflict with rights and privileges granted to other company or companies at this or any previous session of the Legislature; also,
In C. Bill No. 108, attach the same amendments.
Also your committee have had under consideration:
C. Bill No. 94, entitled A Bill for an act to incorporate the Ft. Calhoun and Iowa Ferry company; and report the same back with the following amendment:
In section 4, strike out all after "practical point" and insert the words "within two miles north or south of said point."
Also add to section 1st the following:
Provided that no privileges herein granted shall conflict with the rights and privileges previously granted at this or any other session of the Legislature; and respectfully recommend the passage of the bills as amended.

On motion,
C. Bill No. 108 was taken up and recommitted to select committee consisting of Messrs. Clancy, Puett, and Miller.

Mr. Safford, chairman of the committee on Education, to whom was referred:
H. F. No. 82, entitled a bill for an act to incorporate the St. Mary's Female Academy; having had the same under consideration respectfully report the same back to the Council and recommend its passage without amendment.

Mr. Rogers, chairman of the committee on Agriculture, to whom was referred:
C. Bill No. 81, entitled an act to incorporate the Omaha and Florence Omnibus Line; respectfully report the bill back to the Council and recommend its passage with the following amendment:
In 5th line, section 1, strike out the word "exclusive."

Mr. Mc Donald from the select committee to whom was referred:
C. Bill No. 109, entitled a bill for an act to re-locate county seats; respectfully submit the following minority report, which was adopted:
Add to section 6, the following:
The foregoing provisions of this act shall apply to the original location of any county seat by a direct vote of the people.

After any county seat has been located by the people, at any subsequent election thereafter for the re-location of such county seat the petition required by section one shall contain a number equal to two-thirds of all the votes cast at the last preceding election, and upon canvassing the votes at such subsequent election, the place having two-thirds of all the votes polled shall be the county seat, and notice of such change shall be given as herein before provided.

All of which is respectfully submitted.

Mr. Reeves, chairman of the committee on Enrolled and Engrossed Bills, report that

C. Bill No. 60, Joint Resolution and Memorial relative to a grant of land to trustees of Simpson University located at Omaha city, is correctly engrossed but we suggest that the title is not appropriate and should be amended.

Also would report

C. Bill No. 66, entitled an act to authorize Samuel L. Campbell and Henry C. Rariden to establish a ferry at the town of Laniere;

C. Bill No. 65, entitled An act to establish a ferry across the Platte river;

C. Bill No. 99, entitled an act to incorporate the Nebraska Medical Society; and

C. Bill No. 41, entitled an act to incorporate the L'eau-qui-court company; correctly engrossed. Also,

C. Bill No. 77, entitled a bill for an act to incorporate the town of Salem in Richardson county; and

C. Bill No. 101, entitled a bill for an act to incorporate the Dakotah city collegiate and preparatory institute; are sufficiently correct to dispense with engrossment.

On motion,

C. Bill No. 60 was taken up.

Mr. Reeves offered the following amendment which was adopted:

After the word "University" insert "and Nebraska city collegiate and preparatory Institute."

The following message was received from the House:

HOUSE OF REPRESENTATIVES,
February 5th, 1857.

Mr. President:—

I have to inform your honorable body that the House have passed:

H. F. No. 35, entitled an act to locate a Territorial Road from Fremont, Dodge county, to Central city;

H. F. No. 29, entitled an act to incorporate the Masonic Hall Association of Capital Lodge of Omaha city;

H. F. No. 8, entitled an act to authorize W. Whitmore and Robert Boggers to erect and keep a mill-dam across Salt creek at the town of Chester in Lancaster county N. T.;

H. F. No. 55, entitled aa act to locate a Territorial Road from Bellevue in Douglas county to Iron Bluffs;

H. F. No. 42, entitled an act to establish a ferry at Buchanan;

H. F. No. 85, entitled an act to incorporate the town of La Loup in Loup county;

H. F. No. 30, entitled an act to incorporate Delaware city;

H. F. No. 54, entitled an act to locate a Territorial Road from Omaha city to Cedar Island, N. T.;

H. F. No. 67, entitled an act to locate a Territorial Road from Bellevue to Omaha city, N. T.;

H. F. No. 25, entitled an act to incorporate Otoe city, Otoe county;

H. F. No. 89, entitled an act to incorporate Spring Grove city;

H. F. No. 50, entitled an act to establish a Territorial Road from Omaha city to the mouth of the Elk Horn river;

H. F. No. 59, entitled an act to locate a Territorial Road from Omaha city to Elk Horn city,

H. F. No. 95, entitled an act to incorporate the town of Hunton;

H. F. No. 84, entitled an act to incorporate the Excelsior Town and Ferry company;

H. F. No. 72, entitled an act to locate a Territorial Road;

H. F. No. 75, entitled an act amendatory to an act authorizing Jacob Noffsinger to keep a ferry;

H. F. No. 51, entitled an act to locate a Territorial Road from Florence to Columbus via Golden Gate;

H. F. No. 103, entitled an act to incorporate the town of Iron Bluffs, Douglas county;

H. F. No. 70, entitled an act to incorporate the town of Addison in Dakotah county, likewise to authorize said town company to keep and run a ferry across the Missouri river at said point;

H. F. No. 98, entitled An act to incorporate the town of Weeping Water Falls;

H. F. No. 52, entitled an act to incorporate the town of De Witt;

H. F. No. 87, entitled an act to regulate the disposal of unclaimed property in certain cases;

H. F. No. 102, entitled an act to incorporate the town of Bradford in Cass county;

H. F. No. 44, entitled an act regulating the disposal of lands purchased in trust for town sites; and

H. F. No. 66, entitled An act to establish a Territorial Road from Fremont, Dodge county via Iron Bluffs to Hazleton, Douglas county.

And the concurrence of the Council is requested therein.

S. M. CURRAN, chief clerk.

Mr. Clancy gave notice that he would on to-morrow or some future day of the session introduce a bill to establish a road from Woodville, Burt county, to Manhattan, Cuming county.

Mr. Kirkpatrick gave notice that he would on some future day of the present session ask leave to introduce a bill for an act to incorporate the town of Fount city.

C. Bill No. 122, entitled a bill for an act to provide for taking the census for the year 1857; and

C. Bill No. 123, entitled a bill for an act to locate a Territorial Road from Plattsmouth to New Fort Kearney; were introduced and read first time.

C. Bill No. 123, entitled an act supplementary to an act entitled an act to incorporate the city of Omaha; was introduced, rule suspended, read first, second and third time, passed, and title agreed to.

The following House bills were taken up and read a first time, to wit:
H. F. No. 43, entitled a bill for an act to establish a Territorial Road;
H. F. No. 9, entitled an act to charter the Bank of Tekamah in Burt county;
H. F. No. 24, entitled an act to incorporate the Ft. Calhoun manufacturing company;
H. F. No. 16, entitled an act to authorize Slaughter and Shaffer to keep a ferry at the mouth of the Platte river;
H. F. No. 38, entitled an act to incorporate the Dodge county Agricultural Society;
H. F. No. 57, entitled a bill for an act permitting claimants to fence along the highways;
H. F. No. 31, entitled a bill for an act to incorporate the city of Louisville; and
H. F. No. 34, entitled a bill to create the office of Territorial Reporter.

H. F. No. 39, entitled an act to incorporate the Sauntee Land and Ferry company; was taken up, read first time, and
On motion,
Laid on the table.

H. F. No. 49, entitled a bill for an act to establish a ferry across the Platte river near the mouth of the Horn river, was taken up, rule suspended, read first and second time, and referred to committee on Incorporations.
C. Bill No. 119, entitled an act for the relief of D. L. McGary; and
C. Bill No. 116, entitled an act for the relief of insolvent debtors; was taken up, read a second time and referred to committee on Incorporations.

C. Bill No. 118, entitled An act to locate a Territorial Road from Omaha city via Fontenelle to Manhattan in Cuming county; and
C. Bill No. 120, entitled An act to incorporate the Platte Ford Ferry company; were taken up, read a second time, referred to committee on Highways, Bridges and Ferries.

C. Bill No. 107, entitled An act to incorporate the town of Cuming city;
C. Bill No. 104, entitled an act to locate a Territorial Road from Fontenelle, Dodge county, to a point on the Missouri river opposite Cuming city;
C. Bill No. 74, entitled an act to establish a Ferry across the Elk Horn river at Golden Gate;
C. Bill No. 73, entitled An act to charter a ferry across the Missouri river opposite Monona city;
C. Bill No. 59, entitled An act to establish a territorial Road from Brownville to Kansas Line; and
H. F. No. 10, entitled an act to establish and define the boundaries of Johnson county;
Were taken up and ordered engrossed for a third reading to-morrow.

C. Bill No. 103, entitled a bill for an act to authorize certain persons therein named to keep a Ferry at Wyoming city; was taken up, and
On motion,
Laid on the table.

C. Bill No. 78, entitled an act to amend an act regulating fees and salaries, approved Jan. 26th, 1826, was taken up, read a third time, passed and title agreed to.

C. Bill No. 92, entitled a bill for an act to dissolve the bonds of matrimony between Obediah Niles and Hannah Niles, was taken up.

Mr. Salesbury moved to lay the bill on the table.

Which motion was lost.

On motion,

Mr. Poppleton was admitted within the bar of the council to make some remarks relative to the matter under consideration.

Upon which the bill was referred to a select committee consisting of Messrs. Salesbury, Kirkpatrick, and Furnas.

C. Bill No. 114, entitled An act creating a new precinct in Washington county, was taken up and

On motion,

Referred to a select committee consisting of Messrs. Salesbury, Clancy, and Bradford.

C. Bill No. 115, entitled A bill for an act to define the boundaries and locate the seat of justice of Lancaster county, was taken up and ordered engrossed for a third reading to-morrow.

The following Message was received from the House:

HOUSE OF REPRESENTATIVES,
February 5, 1857.

Mr. President:—

I herewith return to your honorable body,

C. Bill No. 123, entitled An act supplementary to an act entitled an act to incorporate the city of Omaha;

The same having passed the House without amendment.

And I am directed to inform your honorable body that the House has passed

H. F. No. 36, entitled An act to establish a territorial road from St. Stephen to Saline city; and

H. F. No. 45, entitled An act to establish the Sioux city and Logan Omnibus Line.

And respectfully ask the concurrence of the Council therein.

S. M. CURRAN, Chief Clerk.

On motion of Mr. Allen,

The Council reconsidered the vote by which

C. Bill No. 47, entitled A bill for an act to incorporate the Sauntee Land and Ferry company, was passed.

The bill was then ordered to lay on the table.

On motion,

H. F. No. 39, entitled An act to incorporate the Sauntee Land and Ferry company, was taken up, read a second time, and referred to committee on Incorporations, with instructions to strike out "six miles." wherever it occurs in the bill and insert "two miles."

C. Bill No. 69, entitled An act to repeal certain acts of the Legislative Assembly of Nebraska passed at the first session of said Legislative Assembly, was read a third time, passed and the title agreed to.

C. Bill No. 90, entitled A bill for an act to locate a Territorial Road therein named, was taken up.

Mr. Clancy moved a call of the House.

Messrs. McDonald and President were referred absent.

On motion,

The Sergeant-at-Arms was dispatched for the absentees.

On motion of Mr. Clancy,

All further proceedings under the call were dispensed with.

On motion,

C. Bill No. 90, was then passed and the tittle agreed to.

C. Bill No. 85, entitled An act to incorporate the Salem Collegiate Institute,

C. Bill No. 71, entitled An act to incorporate the city of Woodville;

C. Bill No 68, entitled An act to incorporate the Nebraska City Insurance company;

C. Bill No, 101, entitled An act to incorporate the Dakotah city Collegiate and Preparatory Institute; and

C. Bill No. 77, entitled An act to incorporate the town of Salem in Richardson county,

Were passed and the title agreed to.

C. Bill No. 41, entitled An act to incorporate the L'eau-qui-court company, was taken up.

Mr. Reeves moved to recommit to the committee on Highways, Bridges and Ferries, with instructions to amend by striking out "seven miles" and inserting "two miles" as the limits of Ferries and Bridges privileges.

The motion was lost.

The bill was then passed and the title agreed to.

C. Bill No. 99, entitled An act to incorporate the Nebraska Medical Society; and

C. Bill No. 66, entitled An act to authorize Samuel L. Campbell and Henry C. Rariden, to establish a ferry at the town of Laniere opposite the mouth of St. James River, in the Territory of Nebraska,

Were passed and the title agreed to.

Mr. Salesbury, chairman of the committee on Military Affairs, reported back

C. Bill No. 87, entitled A bill to allow a premium for killing wolves and wild cats, and recommend its passage without amendment.

Mr. Miller moved to recommit the bill to same committee with instructions to amend by inserting "banks" after the words "wild cats."

Mr. Allen moved to amend the amendment by making the reward for killing wild cat banks, one hundred dollars.

Mr. Clancy moved to lay the motion and amendment on the table.

The ayes and nays were demanded and resulted,

Ayes—Messrs. Bradford, Clancy, Furnas, Kirkpatrick, McDonald, Miller, President, Puett, Reeves, Rogers, Safford, Salesbury—12.

Nays—Mr. Allen—1.

So the motion and amendment were laid on the table.

Mr. Kirkpatrick moved to recommit the bill to the committee on Education.

Mr. Safford moved to strike out "Education" and insert "Agriculture."

Lost.

The bill was then recommitted to the committee on Education.

Mr. Clancy presented the following resolution, which was adopted:

Resolved. That the Hon. E. Wakeley of Dakotah be permitted to take a seat within the bar of the Council at pleasure. Also that the same privilege be extended to Hon. A. V. Larimer of Council Bluffs, Iowa.

On motion,

Council adjourned until to-morrow at 10 o'clock A. M.

ATTEST, O. F. LAKE. Chief Clerk

FRIDAY, FEBRUARY 6, 1857.

MORNING SESSION.

Council met.

Prayer.

Journal read and approved.

Mr. Reeves chairman of committee on Engrossed bills reported that the following bills are sufficiently correct to dispense with their engrossment, viz:

C. Bill No. 89, entitled A bill for an act to incorporate the Rock Bluff Seminary.

C. Bill No. 86, entitled A bill for an act to authorize Charles McDonald to erect a Mill Dam;

C. Bill No. 95, entitled A bill for an act to incorporate Nebraska University at Saratoga;

C. Bill No. 87, entitled A bill for an act providing for payment of interest on Territorial Warrants;

C. Bill No. 91, entitled A bill for an act incorporating the Waterville Town and Manufacturing company;

C. Bill No. 83, entitled A bill for an act to locate a territorial Road from Nemaha city to Nebraska city;

C. Bill No. 115, entitled A bill for act to define the boundaries and locate the seat of justice of Lancaster county;

C. Bill No. 104, entitled A bill for an act to locate a territorial Road from Fontenelle, Dodge county to a point on the Missouri river opposite Cuming city; and,

C. Bill No. 107, entitled A bill for an act to incorporate the Town of Cuming city;

Also, your committee have examined;

C. Bill No. 67, entitled An act to incorporate the Town of Leau-qui-court;

C. Bill No. 59, entitled A bill for an act to establish a territorial road from Brownville to the Kansas line;

H. File No. 10, entitled A bill for an act to establish and define the boundaries of Johnson county;

C. Bill No. 80, entitled An act supplimentary to an act to authorize Wm. Clancy and P. C. Sullivan to keep and run a ferry across the Missouri at DeSoto; and,

C. Bill No. 72, entitled An act to define the boundaries locate the seat of justice and organize the county of Platte;

And report the same back to the Council correctly engrossed.

Mr. Kirkpatrick chairman of the committee on Incorporations to whom was referred,

C. Bill No. 113, entitled A bill for an act to incorporate the town of Fairview;

C. Bill No. 121, entitled A bill for an act to authorize the city council of Nebraska city to reduce the width of Kansas street;

C. Bill No. 79, entitled An act to incorporate the Covington town company;

C. Bill No. 126, entitled A bill for an act to incorporate the Fairview Bridge and Ferry company;

C. Bill No. 75, entitled A bill for an act to incorporate the town of Laniere.

C. Bill No. 117, entitled A bill for an act to incorporate the Omadi Collegiate Institute;

C. Bill No. 112, entitled A bill for an act to incorporate Platte Valley Insurance company of Bellevue;

Would respectfully report that they have had the same under consideration and recommend their passage without amendment.

Also, your committee have examined,

C. Bill No. 98, entitled A bill for an act to incorporate Pappillion Mill company; and recommend its passage with following amondment;

In section 1st, Third line, strike out the name of Geo. L. Miller.

Mr. Bradford chairman of the committee on the Judiciary to whom was referred:

C. Bill No. 116, entitled An act for the relief of D. L. McGary,

Have had the same under consideration and report the same back to the Council without amendment and recommend its passage.

The following message was received from the House of Representatives:

HOUSE OF REPRESENTATIVES,
February, 6th, 1857.

Mr. President:

I hereby inform your honorable body that the House have passed,

H. F. No. 77, entitled an act to authorize John J. Tracy and John Gillmore to keep a Ferry at St. Johns, in Dakotah county;

H. F. No. 97, entitled an act to authorize Smith McMains to keep a Ferry in Nemaha county;

H. F. No. 68, entitled an act to locate and establish a territorial Road from Omaha city to Fairview;

H. F. No. 81, entitled an act to incorporate the University of St. Johns in Dahkotah county;

H. F. No. 12, entitled a bill for an act to authorize George Smith to keep a Ferry; and

H. F. No. 112, Memorial and Joint Resolution to Congres,

And the concurrence of the Council is requested therein.

S. M. CURRAN, chief cl'k.

The Select committee to whom was referred:

C. F. No. 92, being an act to dissolve the bonds of matrimony between Obediah J. Niles,

Having had the same under consideratioo beg leave to make the following

REPORT.

Your committee on examination find the facts alledged as the grounds of such application to be as follows:

The said Obediah J. Niles, now a resident of this Territory, was formerly a resident of the State of Michigan, first of Oakland and afterwards of Clinton county; that he while residing there bore a high character for industry, morality and probity; that difficulties have long existed between himself and wife, rendering their union unhappy and their separation an advantage to both parties. That said Niles declined to avail himself of his legal remedy to which he had a right, in consequence of his reluctance to publish his domestic misfortunes to the world, but finally on the 24th day of March, A. D. 1857, the said O. J. Niles under the direction of council and upon legal advice which he there obtained and believed to be good and reliable, entered into a written agreement with the said Hannah M. Niles this wife and James M. Millan as her trustee to separate (a copy of which is hereunto annexed) that said Niles was at that time advised by council and verily believed and based his action on such conviction, that said agreement was binding and effective between the parties, and that the provision therein made for her support maintanance and alimony and her acceptance of the same and relinquishment of all future rights therein contained, would forever bar her from recovering any dower, alimony or other rights in any property which he might thereafter acquire.

Your committee further find that after the execution and consumation of the aforesaid agreement the said O. J. Niles removed to the State of Iowa that he resided there until something like a year ago when he sold his property and removed to Nebraska; that since such sale and while some four thousand dollars of the purchase money of said property remained due and unpaid, the said Hannah M. Niles has set up a claim for a dower in such property and that the aforesaid purchase money is still withheld from said Niles by reason of such claim of dower.

Said Niles therefore asks that a divorce be granted by the Legislative Assembly that he may be able to control his own property and appropriate the avails of his own labors to his own uses.

It further appears that this application is made to the Legislative Assembly for the sole and only reason that by virtue of the agreement hereinbefore referred to he is precluded under the statutes of this Territory and it is believed of almost every State and Territory of the Union from making any application to the courts for the relief sought.

Your committee after an examination of all the facts and the instrument of writing hereto attached, and although they are unanimously opposed to the granting of legislative divorces in all ordinary cases, are of opinion in view of the undoubted merits disclosed by the facts of this case and the impossibility of the parties obtaining any other relief, that the case is one properly calling for legislative interposition.

Your committee therefore report the bill back without amendment and recommend its passage.

A. F. SALESBURY, Chairman.

The following notices of bills were presented.

By Mr. Bradford:

I hereby give notice that I will on some future day ask leave to introduce a bill to prevent free negroes from settling in this Territory.

By Mr. Rogers:

I hereby give notice that I will on some future day ask leave to introduce a bill to establish a territorial road from Omaha via Hazleton to Chicago on the Elk Horn river.

Mr. Miller introduced the following resolution:

Resolved, That on and after Tuesday next no bills shall be introduced to or entertained by the Council during this session.

The following bills were taken up and read first time, viz:

H. F. No. 8, entitled an act to authorize W. Whitmore and Robert Boggers to keep a mill dam across Salt creek at the town of Chester.

H. F. No. 55, entitled an act to locate a Territorial Road from Bellevue, in Douglas co., to Iron Bluffs.

H. F. No. 35, entitled an act to locate a Territorial Road from Fremont to Central city.

H. F. No. 75, entitled a bill for an act amendatory to an act authorizing Jacob Noffsinger to keep a ferry.

H. F. No. 51, entitled an act to locate a Territorial Road from Florence to Columbus via Golden Gate.

H. F. No. 103, entitled an act to incorporate the town of Iron Bluffs.

H. F. No. 70, entitled an act to incorporate the town of Adison in Dakotah county; also,

To authorize said Town company to keep and run a ferry across the river at said point.

H. F. No. 87, entitled an act regulating the disposal of unclaimed property in certain cases.

H. F. No. 52, entitled an act to incorporate the town of Denite.

H. F. No. 98, entitled an act to incorporate the town of Weeping Water Falls.

H. F. No. 102 entitled an act to incorporate the town of Bradford in Cass county.

H. F. No. 25, entitled an act to incorporate Otoe city, in Otoe county.

H. F. No. 72, entitled an act to locate a Territorial Road.

H. F. No, 84, entitled an act to incorporate the Excelsior Town and Ferry company.

H. F. No. 95, entitled an act to incorporate the town of Hunton.

H. F. No. 89, entitled an act to incorporate Spring Grove city.

H. F. No. 54, entitled an act to establish a Territorial Road from Omaha city to Cedar Island,

H. F. No, 45, entitled an act to establish the Sioux city and Logan Omnibus Line.

H. F. No, 36, entitled an act to establish a Territorial Road from St. Stephen to Saline city.

H. F. No. 50, entitled an act to establish a Territorial Road from Omaha city to the mouth of the Elk Horn river.

H. F. No. 30, entitled an act to incorporate Delaware city.

H. F. No. 66, entitled an act to establish a Territorial Road from Fremont via Iron Bluffs to Hazleton.

H. F. No. 67, entitled an act to locate a Territorial Road from Bellevue to Omaha city; and,

H. F. No. 59, entitled an act to locate a Territorial Road from Omaha city to Elk Horn city; also,

C. Bill No. 125, entitled an act to establish a Territorial Road from Omaha city via Hazleton to Chicago on the Elk Horn river.

C. Bill No. 127, entitled an act to incorporate the town of Forest city.

Mr. Miller chairman of the committee on the "Code" reported to the Council the third chapter of said Code, which

On motion,

Was referred to the committee on Judiciary.

The following message was received from the Governor:

OMAHA CITY, N. T. }
February 6th, 1857. }

Mr President:

I am instructed by his Excellency the Governor to inform you that he has signed and approved an act entitled An act for the relief of Experience Estabrook.

JOHN C. TURK, Private Sec'y.

H. F. No. 44, entitled a bill for an act regulating the disposal of lands purchased in trust for town sites,

Was taken up, rule suspended, read a second time and referred to committee on Judiciary.

H. F. No. 85, entitled a bill for an act to incorporate the town of La Loup in Loup county; was taken up rule suspended, read first and second time and referred to the committee on Incorporations.

H. F. No. 42, entitled a bill for an act to establish a Ferry at Buchanan; was taken up, rule suspended, read first and second time and referred to the committee on Highways, Bridges and Ferries.

H. F. No. 29, entitled a bill for an act to incorporate the Masonic Hall association of Capital Lodge Omaha city; was taken up, rule suspended, read first and second time, and ordered engrossed for a third reading to-morrow.

H. F. No. 38, entitled a bill for an act to incorporate the Dodge county Agricultural Society; was taken up, read a second time and referred to the committee on Agriculture.

H. F. No. 28, entitled a bill for an act to incorporate the Ft. Calhoun Manufacturing company; was taken up read a second time and referred to committee on Public Buildings.

H. F. No. 24, entitled an act to define the boundaries of Cuming county and change the name of the county seat of said county; was taken up read a second time and referred to committee on Counties.

H. F. No. 16, entitled an act to authorize Slaughter and Shezler to keep a Ferry at the mouth of the Platte river; was taken up read a second time and referred to committee on Highways, Bridges and Ferries.

H. F. No. 34, entitled an act to create the office of Territorial reporter, and,

C. Bill No. 122, entitled an act to provide for taking the Census of Nebraska for the year 1857; were taken up read a second time and referred to committee on Judiciary.

H. F. No. 9, entitled an act to charter the bank of Tekama; and,

H. F. No. 31, entitled an act to incorporate the city of Louisville; were taken up read a second time and referred to the committee on Incorporations.

C. Bill No. 124, entitled an act to locate a Territorial Road from Plattsmouth to New Ft. Kearney; and,

H. F. No. 43, entitled an act to locate a Territorial Road; were taken up read a second time and referred to committee on Highways, Bridges and Ferries.

C. Bill No. 64, entitled an act to incorporate the Ft. Calhoun and Iowa Ferry company.

C. Bill No. 105, entitled an act to incorporate the Blayburg Town and Ferry company; and,

C. Bill No. 109, entitled an act to relocate county seats; was taken up and ordered engrossed for a third reading to-morrow.

C. Bill 81, entitled an act to incorporate the Florence and Omaha Omnibus Line; was taken up and ordered to a third reading to-morrow.

H. F. No. 57, entitled an act to permit claimants to fence along the Highways; was taken up and

On motion,

Laid on the table.

C. Bill No. 42, entitled a bill for an act to establish the county of Leauqui-court; was taken up read a third time,

Passed and title agreed to.

H. F. No. 82, entitled a bill for an act to incorporate the St. Mary's Female Academy; was taken up and

On motion,

Returned to the House for engrossment.

Mr. Miller presented the following resolution:

Which was adopted.

Resolved, That the President of the Council be and he is hereby authorized and requested to procure any assistance he may deem necessary for engrossment and enrollment of bills.

C. Bill No. 92, entitled an act to dissolve the bonds of Matrimony between Obediah Niles and Hannah Niles; was taken up,

Mr. Miller moved that the bill be read a third time now,

On which the ayes and nays were ordered and resulted as follows:

Ayes—Messrs. Allen, Bradford, Clancy, Furnas, Kirkpatrick, McDonald, Miller, Puett, Rogers, Salesbury, and President—11.

Nays—Messrs. Reeves, and Safford—2.

So the motion prevailed.

Question recurring on its passage,

The ayes and nays were demand and resulted:

Ayes—Messrs. Allen, Bradford, Clancy, Furnas, Kirkpatrick, McDonald, Miller, Puett, Rogers, Safford, Salesbury, and President—12,

Nays—Mr. Reeves—1.

So the bill passed and title agreed to.

Mr. Clancy chairman of the select committee to whom was referred the petition of Harriet Alloway, and the report of the Judiciary committee thereon, reported the same back to the Council without recommendation.

On motion,

The report was referred to a select committee consisting of Messrs. Salesbury, Miller, and Bradford.

On motion,

Council took recess until half-past two o'clock.

AFTERNOON SESSION.

President in the chair.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,
February, 6th, 1857.

Mr. President:

I have to inform your honorable body that the House have passed;

H. F. No. 63, entitled an act to incorporate the Nebraska Central Railroad company,

And respectfully ask the concurrence of the Council therein.

S. M. CURRAN, chief cl'k.

Mr. Reeves chairman of the committee on engrossed bills reported:

C. Bill No. 88, entitled an act to provide for payment on Territorial Warrants; correctly engrossed.

The following message was received from the House of Representatives:

HOUSE OF REPRESENTATIVES,
February 6th, 1857.

Mr. President:

I herewith return to your honorable body,

C. Bill No. 12, entitled an act to erect the county of Sarpy;

The same having passed the House with the following amendmendments:

The title amended so as to read after the word "Sarpy" "and for other purposes"; and in lieu of section 1, the following is inserted;

Be it enacted by the Council and House of Representatives of the Territory of Nebraska that all that portion of territory included within the following boundaries, to wit: Beginning at a point in the middle of the main channel of the Missouri river due east of a point in the middle of the main channel of the Platte river where the same disembogues into the said Missouri river thence up the middle of the main channel of the Missouri river to a point two miles due south of the north line of township No. 14 north, thence due west on section lines to the middle of the main channel of the Platte river, thence down the middle of the main channel of said Platte river to the place of beginning; be and the same is hereby created and erected a new county by the name of Sarpy.

Add to section 2 after the word "erected" and that said commissioners shall make said location on or before the first day of July next and shall make a report of their acts and doings in the premises and file the same in the office of the Register of said county; and that section 4 be made to read as follows:

Section 4, and be it further enacted, that all that portion of territory lying south of the 4th standard parallel and east of the main channel of the Platte, river and not included in the boundaries of this act of Sarpy county, be and the same is hereby declared to be a part and portion of the county of Douglas.

And the following inserted as section fifth:

Section 5, And be it further enacted that an act entitled an act to create a new election district in the southern portion of Douglas county, approved January 22d, 1856, be and the same is hereby repealed and the said county of Sarpy shall have a Representation in the Legislative Assembly under the last census in the same ratio as is provided in the act hereby repealed.

And rocommend the passage of the bill as amended.

S. M. CURRAN, chief cl'k.

The following bills were taken up read a third time passed and title agreed to viz:

H. F. No. 10, entitled An act to establish and define the boundaries of Johnson county;

C. Bill No. 95, entitled An act to incorporate the University of Nebraska at Saratoga;

C. Bill No. 42, entitled An act to establish the county of Leau-qui-court;

C. Bill No. 91, entitled An act to incorporate the Waterville town and manufacturing company;

C. Bill No. 86, entitled An act to authorize C. McDonald to erect a mill-dam;

C. Bill No. 67, entitled An act to incorporate the town of Laniere;

C. Bill No. 83, entitled An act to locate a territorial Road from Nemaha city to Nebraska city;

C. Bill No. 59, entitled a Bill to establish a territorial road from Brownville to Kansas line;

C. Bill No. 104, entitled An act to locate a Territorial Road from Fontenelle to a point opposite Cuming city on the Missouri river;

C. Bill No. 75, entitled An act to incorporate the town of Leman in Gage county;

C. Bill No. 89, entitled An act to incorporate the Rock Bluffs Seminary;

C. Bill No. 107, entitled An act to incorporate the town of Cuming city;

C. Bill No. 112, entitled An act to incorporate the Platte Valley Insurance company of Bellevue;

C. Bill No. 80, entitled An act to authorize William Clancy and P. C. Sullivan to keep and run a ferry across the Missouri river at DeSoto;

C. Bill No 117, entitled An act to incorporate the Omadi Collegiate Institute;

C. Bill No. 79, entitled An act to incorporate the Covington town company;

C. Bill No 115, entitled An act to define the boundaries and locate the Seat of Justice of Lancaster county;

C. Bill No. 72, entitled An act to define the boundaries, locate the seat of justice and organize the county of Platte.

C. Bill No. 60, Joint resolution and memorial relative to a grant of land to Trustees of the Simpson University, and Nebraska city collegiate Institute; and,

C. Bill No. 88, entitled An act providing for interest on Territorial Warrants;

C. Bill No. 126, entitled An act to incorporate the Fairview Bridge and Ferry company; was taken up read first time, rule suspended, read second and third time,

Passed and title agreed to.

C. Bill No. 98, entitled An act to incorporate the Pappillion Mill company.

Mr. Salesbury moved to amend the bill by striking out "20" it sixth line of section 2 and insert 15.

Which amendment was lost,

On motion,

The bill was read a third time, passed and

Title agreed to.

Mr. Rogers moved to take up the message from the House relative to C. Bill No. 12, entitled An act to erect the county of Omaha,

Mr. Kirkpatrick moved to amend by making the same the special order of the day,

Which amendment was lost.

Question recurring on motion,

It was agreed to.

Mr. Reeves moved that the Council concur in the amendments proposed to said bill by the House,

Which motion was agreed to.

The Select committee to whom was referred sundry Bank bills have had the same under consideration and beg leave to make the following

REPORT:

That they have examined the subject with as much care as their ability, time and the circumstances will admit, and have come to the following conclusion:

That they are not at all in favor of banking in general, neither are they satisfied that an agricultural and commercial people could successfully prosecute their business upon an exclusive constitutional currency, because that in the opinion of your committee an exclusive gold and silver currency could not be had andr etained in sufficient quantity to meet the wants of a country whose rapid progress we think will be without a parallel in the history of nations. We say it could not be retained because it would find a resting place in those States where the most would be given for it, and it is easy to see that a greater apparent value could be given for it in bank bills than could be offered in the produce of our territory, hence the result: those oldest States would have the gold and we would have their currency, which would place us in no better condition than we would be with a limited number of our own banks under proper restrictions, except so far as those eastern institutions have in a measure been tested and the people therefore have confidence in them.

Your committee would further state that if it was true, that a little of a thing was good therefore more was better, this Legislature might go on and charter a Bank for every county in the Territory, but upon a very slight examination of this matter, it will be seen that a multiplicity of banks would most completely defect the object sought; the thing sought is a bank of issue, exchange and deposite, if of issue, in order to be of service to the bank it must have credibility beyond its immediate locality, otherwise the bank would never do to issue one dollar; if its credibity was extensive then with propriety its issue might be extensive the stockholders feeling an assurance that the bills would not rush in upon them faster than the gold could be counted, but how is the credibility to be established? Why safely upon the basis of the worth, honesty and integrity of the persons having the control; and where ore to be found the honest men who would invest capital in a banking operation, when every twenty-four square miles has a machine for grinding out a mean paper representation of money.

Your committee can easily conceive that they are recreant to the interest of the persons who would readily engage in the business of securing charters and putting bills in circulation to the extent of their ingenuity and when no more could be issued a failure would ensue and the bill holder would have the privilege of holding on to them. But the circumstances of the bill holder

having this paper in their hands is not all the evil that has befallen the country, property as a consequence upon this flood of paper currency has risen to a ficticious value and multitudes have been caught by the speculating mania and borrowing money and purchasing at high rates have found themselves, when the crisis arrived, deeply involved, without the ability to pay even a moity of their indebtedness were their property sold for the utmost that it would bring. where then would be the benefit of banking to Nebraska more than what is necessary to meet the actual wants of the Territory? Look now, sir, at this machine as a bank of exchange and tell us what banker in any of our eastern cities would honor our paper, none would dare because they would have no certainty that our souless thing would have any existence when the draft should return by express.

But suffer us again to return to the issue. We have now six banks add six more and we have twelve, a bank for every thousand inhabitants, therewith a capitol stock of $250,000; each would be equal to $300,000, three times that annually which is the remaining sum which they have a positive right to issue would be $900,000, this upon equal division would give to every man, woman and child $750 currency, allowing every fifth of our twelve thousand inhabitants to be business men, then we would have for each man $3,750. Now, sir, your committee would ask if there is a man upon this floor that does not see how perfectly absurd and rediculous this whole affair is, even in the supposition that the capital stock was reduced to the sum of fifty thousand dollars for each institutions, this would still leave for each man $750. We would ask again of what use would this money be to the bankers except to loan, but if they should loan where would be their security upon $187,500. Why, sir, the more you look at this machinery the more foolish and absurd it appears. It could not help but crumble down under its own superincumbent weight.

There is another view of this matter that it would be well to look at:— Who are the men that are asking for these charters? Are they sovereign squatters of Nebraska? Not at all; most if not all the leading men are from other States, who would be very much obliged to us now to legislate to them the opportunity of filling our pockets with their bills but who would laugh us to scorn when they had our gold and our property in his possession. Take another view of this thing, if you please sir, in the light of a bank of deposite. Who in his senses would think of entrusting money in the vaults of such institutions, if past experience would teach us anything. We would dread them as a highway robber, for hundreds have confidence in them have woke up in the morning and have found that the body of the souless thing had evaporated and there was nothing left to represent his pocket full of bills but an old store, the counter, and a broom. Such, sir, have been the workings of these machines; such will be the workings of them, and it will avail little for us to wail over our folly and wickedness when our Territory is bankrupt; besides, sir, what right have we to throw a clue in the way of men, merely because they ask it of us by which means they may turn about and swindle us in wholesale; and we venture the assertion that your paper money system, with its privileges, exemption, and facilities for speculation, encourages and greatly multiplies that class of men. In this view the evil is above our power to confute. The honest portion of community with vice constantly before their eyes become assimilated with it, its odious features and soon familiarized, they wink at the monster and it is well for them if they are

not facinated and become parties in a grand swindle of the confiding and unthinking portion of community.

Your committee might proceed to show that this banking system is a monied power, and as such could control the various interests and destinies of our country. It would effect our social our civil and our political interests; it is an institution that can at will suspend specie payment, refuse to discount, and thereby cramp our commercial, manufacturing and agricultural opperations by the simple term of "We are not discounting."

Your committee not willing to assume the whole responsibility of saying there shall be no more banks chartered at this session of the Legislature, would respectfully report back to the Council the following bills:

Council Bill Nos. 8; 13; 32; 34; and 110.

And would recommend that if this Council should see fit to pass any of them that they pass with the following addititional sections being embodied in each bill:

First—that the capital stock of said bank shall never exceed $300,000, and that no bills of less denomination than five dollars shall be issued

Second—That it shall be unlawful for said bank to exact more than eighteen per cent per annum or one and a half per cent per month.

Third—That said bank shall deposite with the Territorial [or State] Treasurer ample special securities to the full amount of the issues of said bank.

Fourth—That the capital stock shall not be transferable without in every instance giving three months notice in some newspaper at or near the locality of the bank of the intended transfer of said stock, and all transfers made contrary to the provisions of this section shall be void.

All of which is respectfully submitted.

MILLS S. REEVES,
JAMES S. ALLEN, } Committee.

Mr. Rogers moved that the consideration of the report and the bills to which it referred be made the special order of to-morrow 10 o'clock,

Which motion was agreed to.

Mr. Bradford chairman of the committee on Judiciary to whom was referred:

C. Bill No. 54, entitled An act relative to the observence of the Sabbath and the protection of Religious worship,

Report that they have had the same under consideration and report the bill back to the Council and recommend its passage with the following amendments:

Strike out the first and second sections of the bill and insert the following as such sections:

Section 1, Be enacted by the Council and House of Representatives of the Territory of Nebraska, That it shall be unlawful for any person or persons to keep open his her or their shop, store, grocery, trading house or saloon, to be present at any dance, public dinner, show or other public entertainment to take part in any sport, game or play on the first day of the week commonly called the Sabbath. It shall be unlawful for any person or persons to perform any manner of work, labor or business except works of necessity or charity on said day and every person so offending shall be punished by a fine not exceeding ten dollars for each and every offence.

Section, 2. No person who does not conscientiously believe the observance

of the first day of the week to be a christian duty shall be liable to any fine or punishment for performing any secular work or productive labor on the said first day of the week provided he or she disturbs no other persons.

On motion,

The said bill was taken up and ordered engrossed for a third reading to-morrow.

Mr. Puett moved that the Council adjourn until Monday morning 10 o'clock.

The Ayes and nays were demanded and resulted as follows:

Ayes—Messrs. Allen, Clancy, Miller, President, Puett, and Salesbury—7.

Nays—Messrs. Bradford, Furnas, Kirkpatrick, McDonald, Reeves, and and Safford—6.

So the Council adjourned.

ATTEST, O. F. LAKE, Chief Clerk.

MONDAY, FEBRUARY 9, 1857.

MORNING SESSION.

Council met pursuant to adjournment.

Prayer by the Chaplain.

Journal read and approved.

On motion,

Council took recess until 2 o'clock, P. M.

AFTERNOON SESSION.

Mr. Miller in the chair.

The following message was received from the Governor:

Mr. President:

I am instructed by the Governor to inform your honorable body that he has signed and approved the following acts, viz:

An act entitled an act supplementary to an act incorporating the city of Omaha; also,

An act entitled An act to legalize the appointment and the acts of Charles Mathers as the assessor for Washington county for the year 1856; also,

An act entitled an act to erect the county of Sarpy and for other purposes; also,

An act entitled an act to incorporate the Nemaha Agricultural Society; also,

An act entitled an act to establish the northern boundary of Washington county in the Territory of Nebraska; also,

An act entitled an act to locate a road from Brownville to Nemaha city; also:

An act entitled an act to incorporate the Chester Salt Manufacturing company; also,

An act entitled an act to incorporate the Brownville College.

JOHN C. TURK, Private Sec'y.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,
February 9, 1857.

Mr. President :—

I herewith return to your honorable body:

C. Bill No. 1, entitled An act to incorporate the Central Pacific railroad company.

The same having passed the House with the following amendments to wit:

By adding the names of A. J. Poppleton, Thomas Sims, S. E. Peck, Ellsworth Wakely, Wm. M. Carter, J. A. Potter, B. R. Pegram, and John F. Baldwin as incorporators.

The House has concurred in the amendments proposed by the Council to

H. F. No. 4, entitled An act to establish a territorial Road from Brownville to New Fort Kearney;

The house have passed

H. F. No. 86, entitled An act to incorporate the town of St. John, Dakotah county.

And the concurrence of the Council is respectfully requested.

S. M. CURRAN, chief clerk.

The committee on Engrossed and Enrolled Bills, beg leave to report that

C. Bill No. 102, entitled An act to incorporate the Homeopathic, healing, art and law Institution;

C. Bill No. 96, entitled An act to incorporate the town of Manchester,

C. Bill No. 73, entitled An act to charter a Ferry across the Missouri river at Monona city, in Monona county, Iowa;

C. Bill No. 109, entitled An act to relocate county seats;

C. Bill No. 97, entitled An act to incorporate the town of Marietta.

C. Bill No. 105, entitled An act to incorporate the Blayburg Town and Ferry company;

C. Bill No. 54, entitled An act relating to the observance of the Sabbath and the Protection of religious worship;

C. Bill No. 94, entitled an act to incorporate the Ft. Calhoun and Iowa Ferry company,

C. Bill No. 74, entitled An act to establish a Ferry across the Missouri river at Golden Gate; is correctly engrossed, but appears to be defective bill;

as it does not limit the term of the corporation, nor specify the time when it shall commence.

All of which is respectfully submitted.

MILLS S. REEVES, chairman.

Mr. Kirkpatrick, chairman of the committee on Incorporations submitted the following

C. Bill No. 9, entitled An act to charter the Bank of Tekamah; report the same back to the Council and recommend its passage without amendment. also

Your committee to whom was referred:

C. Bill No. —, entitled An act to incorporate the Sauntee Land and Ferry company; and by instructions from the Council report an amendmen to section first, by striking out the word "six" and inserting the word "two" so as to read, two miles above Salt creek instead of six miles above and below,

Your committee have enquired into the circumstances of the case and are of the opinion that the said company ought to have the privilege of ferrying said Platte river from a point two miles below the mouth of Salt creek to the mouth of the Elk Horn river.

Also your committee report back:

C. Bill No. 93, entitled An act to incorporate the Missouri river and Nebraska railroad company; and recommend the passage of the bill with the accompanying amendment.

The committee on Enrolled bills respectfully beg leave to report that the following are correctly enrolled:

C. Bill No. 12, entitled An act to erect the county of Sarpy and for other purposes:

C. Bill No. 21, entitled An act to legalize the appointment and the acts of Charles Mather as the Assessor of Washington county for the year 1856;

C. Bill No. 30, entitled An act for the relief of E. Estabrook;

C. Bill No. 25, entitled An act to incorporate the Loup Fork Bridge and Ferry company;

C. Bill No. 2, entitled A bill for an act to incorporate a bank at DeSoto Washington county,

C. Bill No. 123, entitled An act supplementary to an act to incorporate city of Omaha;

C. Bill No. 5, entitled An act to establish and keep a ferry across the Platte river at Cedar Island in the county of Cass;

C. Bill No 4, entitled An act to locate and establish a Territorial Road from Nebraska city and Kearney city landing to Brownville;

C. Bill No. 19, entitled An act to establish a ferry across the Missouri river at Omadi;

C. Bill No. 49, Joint resolution and memorial relative to Pacific Railroad;

C. Bill No. 6, entitled A bill for an act to establish the north line of Washington county;

C. Bill No 3, entitled An act to incorporate the Chester Salt Manufacturing company;

C. Bill No 17, entitled An act establishing a Territorial Road from Brownville to Nemaha city;

C. Bill No. 23, entitled An act to incorporate the Brownville college;

C. Bill No. 58, entitled An act to incorporate the Brownville Lyceum and Library Association;

C. Bill No. 15, entitled An act incorporating the Nemaha county Agricultural Society;

C. Bill No. 31, entitled An act to amend an act to incorporate the town of Brownville;

C. Bill No. 111, Joint Resolution and Memorial to Congress for the relief of citizens of Richardson county;

C. Bill No. 53, entitled An act to provide for the permanent location of the county seat of Richardson county;

C. Bill No. 50, Memorial and Joint Resolution to Congress in relation to the policy of annexing a portion of Minnesota to Iowa.

All of which is respectfully submitted.

MILLS S. REEVES, chairman.

On motion,

C. Bill No. 1, entitled An act to incorporate the Central Pacific Railroad company, was taken up.

Mr. Bradford moved that the Council concur in the amendments proposed by the House relative to said bill.

Which was agreed to.

Mr. Rogers chairman of the committee on Agriculture, to whom was referred:

H. F. No. 39, entitled An act to incorporate the Dodge county Agricultural Society; have had the same under consideration and respectfully report it back to the Council, and recommend its passage without amendment.

Mr. Bradford chairman of the Judiciary committee, to whom was referred:

H. F. No. 44, entitled A bill for an act regulating the disposal of Lands purchased in trust for town sites; also,

H. F. No. 34, entitled A bill for an act to create the office of Territorial Reporter;

Have had the same under consideration, and recommend their passage without amendment.

Also your committee have examined:

C. Bill No. 122, entitled A bill for an act to provide for taking the census for the year 1857, and recommend its passage with the following amendment:

Sec. 8. Provided that unorganized counties on the Missouri river be attached to the next county south of the same.

Mr. Bradford moved that

H. F. No. 44, entitled A bill for an act regulating the disposal of lands purchased in trust for town sites, be taken up and read third time.

Which was agreed to.

On motion,

The bill was passed and title agreed to.

Mr. Reeves, chairman of the committee on Engrossed and Enrolled Bills, reported

C. Bill No. 1, entitled An act to incorporate the Central Pacific railroad company, correctly engrossed.

Mr. Clancy chairman of the committee on counties to whom was referred:
H, F. No. 42, entitled An act to define the boundaries of Cuming county and change the name of the county seat of said county;
Have had the same under consideration and recommend its passage without amendment.

Mr. McDonald, chairman of the committee on Public Buildings, to whom was referred:
H. F. No, 28, entiled An act to incorporate the Ft. Calhoun manufacturing company, have had the same under consideration and recommend its passage without amendment.

Mr. Bradford, chairman of the committee to whom was referred:
C. Bill No. 119, entitled An act for the relief of insolvent debtors; have had the same under consideration and report the accompanying substitute, and recommend its passage.
On motion,
Said bill was taken up, read a third time, passed and title agreed to.

Mr. Salesbury, from the select committee to whom was referred sundry Bank Bills, respectfully submit the following

MINORITY REPORT:

Your committee to whom was referred:
C. Bill No. 8, entitled An act to incorporate the Bank of Columbus;
C. Bill No. 13, entitled A bill for an act to charter the Clinton Bank,
Have had the same under consideration and recommend their passage without amendment.
Also your committee have examined:
C. Bill No. 32, entitled An act to incorporate the Pacific Bank of Dakotah,
And recommend its passage with the following amendment:
Strike out Dakotah and insert Omadi.
Also your committee have examined:
C. Bill No. 34, entitled A bill for an act to incorporate the Bank of Plattsmouth; and recommend its passage with the following amendment:
Strike out "L. Nuckolls" and insert "Isaac Polland jr."
Also,
C. Bill No. 110, entitled An act to incorporate the Bank of Bellevue, and recommend the following amendment:
Strike out "Peter C. Ward" and "Lewis Scudder" and insert "Robert Hamilton."
And recommend its passage as amended.

Mr. Safford moved the adoption of the minority report.
Which was agreed to.

C. Bill Nos. 8, 13, 32, and 110, the same being the special order of the day were taken up.
On motion of Mr. Allen,
The amendments recommended to said bill by the majority report were taken up seriatim.

Ayes and nays were demanded on first amendment and resulted as follows:
Ayes—Messrs. Allen, Clancy, President, Reeves, and Rogers—5.
Nays—Messrs. Bradford, Furnas, Kirkpatrick, McDonald, Puett, Safford, and Salesbury—7.
So the amendment was lost.
Mr. Allen moved the adoption of second amendment.
Lost.
Mr. Rogers moved the adoption of third amendment proposed by the majority report:
The ayes and nays were demanded and resulted,
Ayes—Messrs. Allen, President, and Rogers—3.
Nays—Messrs. Bradford, Clancy, Furnas, Kirkpatrick, McDonald, Puett, Reeves, Safford, and Salesbury—9.
So the motion was lost.
Mr. Rogers moved the adoption of fourth amendment.
The ayes and nays were demanded and resulted,
Ayes—Messrs. Allen, McDonald, Reeves, Rogers, and President—5.
Nays—Messrs. Bradford, Clancy, Furnas, Kirkpatrick, Puett, Safford, and Salesbury—7.
So the motion was lost.
Mr. Rogers moved the adoption of the balance of the majority report.
Which was agreed to.

C. Bill No. 32, entitled A bill for an act to incorporate the Pacific Bank of Dakotah; was taken up.
The following amendment to the bill and title was agreed to:
Strike out Dakotah and insert Omadi.
The question recurring on the passage of the bill,
The ayes and nays were demanded and resulted,
Ayes—Messrs. Allen, Bradford, Furnas, Kirkpatrick, McDonald, Puett, Reeves, Safford, and Salesbury—9.
Nays—Messrs. Clancy, President, and Rogers—3.
So the bill passed, and
On motion,
Title agreed to.

C. Bill No. 8, entitled An act to incorporate the bank of Columbus; was taken up and read a third time,
The ayes and nays were demanded on its passage, and resulted as follows:
Ayes—Messrs. Bradford, Clancy, Furnas, Kirkpatrick, McDonald, Puett, Safford, and Salesbury—8.
Nays—Messrs Allen, President, Reeves, and Rogers—4
So the bill passed, and
On motion,
The title was agreed to.

C. Bill No. 13, entitled An act to incorporate the Clinton Bank; was taken up and read a third time.
The ayes and nays were demanded and resulted,
Ayes—Messrs. Furnas, Kirkpatrick, McDonald, Puett, Safford, and Salesbury—6.

Nays--Messrs. Allen, Bradford, Clancy, President, Reeves and Rogers—6.
So the motion was lost.
Mr. Clancy moved a reconsideration of the vote.
Which was agreed to.
Question again recurring on the passage of the bill,
The ayes and nays were ordered and resulted;
Ayes—Messrs. Bradford, Clancy, Furnas, Kirkpatrick, McDonald, Puett, Safford, and Salesbury—8.
Nays—Messrs. Allen, President, Reeves, and Rogers—4.
So the bill passed, and
On motion,
The title was agreed to.

C. Bill No. 34, entitled An act to incorporate the Bank of Plattsmouth, was taken up, and
On motion,
The following amendment was adopted:
Strike out "S. F. Nuckhols," and insert "Isaac Pollard jr."
The question recurring on the passage of the bill,
The ayes and nays were ordered and resulted as follows:
Ayes—Messrs. Allen, Bradford, Clancy, Furnas, Kirkpatrick, McDonald, Puett, Reeves, Safford, and Salisbury—10.
Nays—Messrs. President and Rogers—2.
So the bill was passed, and
On motion,
Its title agreed to.

C. Bill No. 110, entitled An act to incorporate the Bank of Bellevne; was taken up.
Mr. Clancy moved that the bill be read a third time to-morrow,
Which motion was lost.
On motion,
The bill was then read a third time.
The ayes and nays were demanded on its passage and resulted as follows:
Ayes—Messrs. Bradford, Furnas, and Safford—3.
Nays—Messrs. Clancy, McDonald, Puett, President, Reeves, Rogers, and Salesbury—7.
So the bill was lost.
On motion,
Messrs. Allen, and Kirkpatrick were excused from voting.

Mr. Bradford, chairman of the committee to whom was referred that part of the code respecting practice and proceedings in court of Justice and for other purposes, reported the same back to the Council and recommended its passage as amended.
On motion.
The same was taken up, read a first time, rule suspended, read second and third time, passed, and title agreed to.

The following message was received from the Governor:

Mr. President:—

I am instructed by the Governor to inform your honorable body that he has signed and approved the following bills, viz:

An act entitled An act to provide for the permanent location of the county seat of Richardson county;

An act entitled An act to locate and establish a Territorial Road from Nebraska city, and Kearney city landing to Brownville;

An act entitled An act to establish and keep a Ferry across the Platte river at Cedar Island in the county of Cass;

An act entiled An act to establish a Ferry across the Missouri river at Omadi, N. T.;

An act entitled An act to incorporate the Brownville Lyceum, Library and Literary Association;

A Joint Resolution and Memorial relative to Pacific Railroad;

An act entitled An act to amend an act to incorporate the town of Brownville;

A Memorial and Joint Resolution to Congress in relation to the policy of annexing a portion of Minnesota to Iowa;

A Preamble and Joint Resolution for relief of citizens of Richardson county;

JOHN C. TURK, Private Secretary.

The committee to whom was referred

C. Bill No. 43, entitled An act to divorce Wm. H. Davis, and Martha Davis; have had the same under consideration, and ask leave to make the following

REPORT:

The bill before your committee proposes to divorce Wm. H. Davis and Martha A. Davis.

We have evidence satisfactory to us that these parties both desire such divorce. We have also satisfactory evidence that the feelings and affections of the parties have become so estranged as to preclude the possibility of reconciliation, and that, under these influences, both parties have probably committed acts that might furnish grounds of divorce in a court of justice. We have also been furnished with evidence that the difficulties between these parties have become to some extent a matter of public concern in the neighborhood of their occurrence. As evidence of this fact we submit as a part of this report a statement signed by several of the citizens of Fontenelle, the residence of these parties. Under the circumstances, your committee of opinion that it is not only unnecessary but oppressive to drive these parties to the courts for relief. Such a course would not only expose the parties to heavy bills of cost, which they are unable to meet but would beget the necessity that one party become the accuser of the other, leading to criminations and recriminations, embroiling more deeply not only the parties but the entire neighborhood. And finally if the suit was not successful, leaving one party disgraced and humiliated upon the records of the courts.—As the parties themselves assert and as the community in whose midst these

unhappy differences arose desire it, sound policy as well as common humanity would seem to dictate that this body should not withhold its ratification.

We are of opinion that this bill should pass.

WM. CLANCY, chairman.

MINORITY REPORT.

The undersigned, one of your select committee to whom was referred C. Bill No. 43, entitled a bill for an act to divorce Wm. H. Davis and Martha A. Davis, having had the same under consideration, would respectfully report the same back with a recommendation that it be indefinitely postponed; and as reasons for the same would state:

1st. That it appears from the statement introduced in this application as evidence that both parties desire a dissolution of the bonds of matrimony.

Your committee regard the marriage contract as one of vast importance to society and one that becomes necessary for the welfare of all well regulated communities, and that the dissolution of such contract should never be made except where it is clear beyond all possibility of a doubt that one of the parties has been guilty of acts which should dissolve such contract, while the other has acted in a becoming and proper manner. That where both parties have, as appears has been the result here, been guilty of acts which should work a dissolution of the marriage contract, courts of justice would not and we do not believe it consistent with our duties to grant relief. It is in effect encouraging loose morals in husband and wife, and is a mode of holding out inducements to such parties by granting to them privileges which they desire merely because they have been guilty of a breach of a sacred contract,

2nd. Your committee would further state that the facts advanced, both parties have been willing and anxious to have a divorce decreed in this application. Your committee are of opinion that should the bonds of matrimony be dissolved wherever it suits the convenience of the parties, that it would place such a contract on such an uncertain tenure that the former solemnity attached to marriage contracts would give place to the existence of such contracts only during the will of the contracting parties.

3rd. That your committee view the marriage contract as a civil contract entered into by the parties which cannot be dissolved except upon the decree of a court of competent jurisdiction upon the application of one of the parties with the proof that the opposite has forfeited all of his or her rights under said contract without any default on the part of the party applying for such dissolution.

Your committee would therefore recommend an indefinite postponment of the bill herewith reported.

All of which is respectfully submitted.

C. McDONALD.

Mr. Reeves moved the adoption of the minority report-

Which was agreed to.

Mr. McDonald gave notice that he would on some future day introduce a bill to incorporte the Missouri Railroad company.

C. Bill No.130, entitled A bill for an act coucerning enclosures and tres-

passing of animals, was introduced, rule suspended, read first and second time, and referred to committee on Agriculture.

C. Bill No. 131, entitled An act to prevent free negroes from settling in this Territory, was introduced and read first time.

C. Bill No. 132, entitled A bill for an act incorporating the Missouri river and Ft. Kearney Railroad company; on leave was introdnced, read first time, rule suspended, read second time and referred to committee on Incorporations.

TUESDAY, FEBRUARY 10, 1857.

MORNING SESSION.

Council called to order by Mr. Kirkpatrick.

On motion,
Mr. Rogers was chosen President *protem.*

Prayer by the chaplain.

On motion,
The reading of the Journal was dispensed with.

H. F. No. 86, entitled A bill for an act to incorporate the town of St. John, Dakotah county; was taken up, read first time, rule suspended, read second time and referred on committee on Incorporations.

H. F. No. 68, entitled An act to locate and establish a territorial Road from Omaha city to Fairview, was read first time, rule suspended, read a second time by its title, and referred to committee on Highways, Bridges and Ferries.

H. F. No. 79, entitled An act to authorize Smith McMains to keep a ferry in Nemaha county, was taken up, read first time, rule suspended, read second and third time, passed, and title agreed to.

H. F. No. 73, entitled An act to incorporate the Nebraska Central Railroad, was read first time, rule suspended, read second time by its title and referred to committee on Incorporations.

H. F. No. 77, entitled An act to authorize John J. Tracy and John Gilman to keep a Ferry at St. Johns Dakotah county, was read first time, rule suspended, read second and third time by its title, passed, and title agreed to.

H. F. No. 81, entitled An act to incorporate the University of St. Johns in Dakotah county, was read first time, rule suspended, read second time and referred to committee on Education.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
February 10, 1857.

Mr. Piesident:—

I have to inform your honorable body that the House have passed:

H. F. No. 20, entitled An act to restrain sheep and swine from running at large in the counties of Cass, Nemaha and Otoe; and

A Joint Resolution in reference to adjournment,

The concurrence of the Council is respectfully requested,

I have also to return to your honorable body:

C. Bill No. 71, entitled An act to incorporate the city of Woodville;

C. Bill No 90, entitled An act to locate a Territorial Road therein named

C. Bill No. 61, entitled An act to incorporate the St. James and Minnesota Ferry company;

C. Bill No. 99, entitled An act to incorporate the Nebraska Medical Society;

C. Bill No. 86, entitled A bill to authorize C. McDonald to erect a mill dam;

C. Bill No. 75, entitled An act to incorporate the town of Leman in Gage county;

C. Bill No 42, entitled An act to establish the county of L'eau-qui-court,

C. Bill No. 104, entitled A bill for an act to locate a Territorial Road from Fontenelle to the Missouri river opposite Cuming city;

C. Bill No. 60, Joint resolution and Memorial relative to a grant of land to trustees of Simpson University, and Nebraska city Collegiate and Preparatory Institute;

C. Bill No. 89, entitled An act to incorporate the Rock Bluffs Seminary,

C. Bill No. 107, entitled An act to incorporate the town of Cuming city;

C. Bill No. 117, entitled An act to incorporate the Omadi collegiate institute;

C. Bill No. 95, entitled An act to incorporate the University of Nebraska at Saratoga,

C. Bill No. 79, entitled An act to incorporate the Covington Town company;

C. Bill No. 80, entitled An act supplementary to an act entitled an act to authorize Wm. Clancy and P. C. Sullivan to keep and run a ferry across the Missouri river at De Soto, in Washington county;

C. Bill No. 59, entitled An act to locate a road from Brownville to Kansas Line;

C. Bill No. 112, entitled An act to incorporate the Platte Valley Insurance company of Bellevue, N. T.;

C. Bill No. 91, entitled An act to incorporate the Waterville Town and Ferry company,

C. Bill No. 98, entitled An act to incorporate the Papillon Mill company;

H. F. No 85, entitled A bill for an act to incorporate the Salem collegiate Institute;

C. Bill No. 77, entitled An act to incorporate the town of Salem, in Richardson county;

C. Bill No. 66, entitled An act to authorize Samuel L. Campbell and Henry C. Rariden to establish a ferry at the town of Laniere opposite the mouth of the St. James river, Territory of Nebraska;

C. Bill No 92, entitled A bill for an act to dissolve the bonds of matrimony between Obediah Niles and Hannah Niles;

C. Bill No 69, entitled An act to repeal certain acts of the Legislative Assembly of Nebraska, passed at the first session of the said Legislative Assembly;

C. Bill No. 101, entitled An act to incorporate the Dakotah city collegiate and Preparatory Institute;

The same having passed the House without amendment.

I have also to inform you that the House have rejected:

C. Bill No. 83, entitled An act to locate a Territorial Road from Nemaha city to Nebraska city;

C. Bill No. 72, entitled An act to define the boundaries, locate the seat of justice and organize the county of Platte.

S. M. CURRAN, chief clerk.

H. F. No. 12, entitled a bill for an act to authorize George Smith to keep a Ferry; was read first time.

H. F. No. 112, Memorial and Joint Resolution to Congres, was read first time, rule suspended, and read second time by tilte, and referred to select committee consisting of Messrs. Bradford, Puett and Salesbury.

H. F. No. 30, entitled an act to incorporate Delaware city.

H. F. No. 35, entitled an act to locate a Territorial Road from Fremont to Central city.

H. F. No. 50, entitled an act to establish a Territorial Road from Omaha city to the mouth of the Elk Horn river.

H. F. No. 55, entitled an act to locate a Territorial Road from Bellevue, in Douglas co., to Iron Bluffs.

H. F. No. 66, entitled an act to establish a Territorial Road from Fremont, Dodge county, via Iron Bluffs to Hazleton, Douglas county, were read second time andreferred to committee on Highways.

H. F. No. 75, entitled a bill for an act amendatory to an act authorizing Jacob Noffsinger to keep a ferry;

H. F. No. 87, entitled an act regulating the disposal of unclaimed property in certain cases; were read a second time, and referred to committee on Sudiciary.

H. F. No. 89, entitled an act to incorporate Spring Grove city.

H. F. No. 103, entitled an act to incorporate the town of Iron Bluffs, in Douglas county;

H. F. No. 52, entitled an act to incorporate the town of De Witt;

H. F. No. 98, entitled an act to incorporate the town of Weeping Water Falls;

H. F. No. 102 entitled an act to incorporate the town of Bradford in Cass county,

H. F. No. 25, entitled an act to incorporate Otoe city, in Otoe county;

H. F. No, 45, entitled an act to establish the Sioux city and Logan Omnibus Line; read second time and referred to committee on Incorporations.

H. F. No. 8, entitled an act to authorize W. Whitmore and Robert Boggers to erect and keep a mill dam across Salt creek at the town of Chester, was read a second time, rule suspended, read third time by title, passed and title agreed to.

H. F. No, 36, entitled an act to establish a Territorial Road from St. Stephen to Saline city, was laid on the table.

H. F. No. 49, entitled a bill for an act to establish a ferry across the Platte river near the mouth of the Horn river, was reported back by committee on Incorporations with amendments, was taken up, amendments adopted and read a second time, rule suspended, read third time, passed and title agreed to.

H. F. No. 72, entitled an act to locate a Territorial Road.

H. F. No, 84, entitled an act to incorporate the Excelsior Town and Ferry company.

H. F. No. 67, entitled an act to locate a Territorial Road from Bellevue to Omaha city;

H. F. No. 59, entitled an act to locate a Territorial Road from Omaha city to Elk Horn city;

H. F. No. 51, entitled an act to locate a Territorial Road from Florence to Columbus via Golden Gate ;

C. Bill No. 125, entitled an act to establish a Territorial Road from Omaha city via Hazleton to Chicago on the Elk Horn river; were read second time and referred to committee on Highways, Bridges and Ferries.

H. F. No. 70, entitled an act to incorporate the town of Adison in Dakotah county; was read second time and referred to a select committee consisting of Messrs. Salesbury, Puett, and Bradford.

The following message was received from the Governor:

Mr President:

I am instructed by the Governor to inform your honorable body that he has signed and approved the following bills, viz :

An act entitled An act to authorize Samuel L. Campbell and Henry Rariden and associates to establish and keep a ferry across the Missouri river at the town of Laniere opposite the mouth of the St. James river, Nebraska Territory;

An act entitled an act to dissolve the bonds of matrimony between Obediah Niles and Hannah Niles;

An act entitled An act to incorporate the Salem Collegiate Institute;

An act entitled An act to incorporate the St. James and Minnesota Ferry company;

An act entitled An act to establish the county of Leau-qui-court;

Also I am instructed by the Governor to info m your honorable body that he has signed and approved

An act entitled An act to incorporate the Oak Bluffs Town and Ferry company.

JOHN C. TURK, Private Sec'y.

Mr. Kirkpatrick chairman of the committee on Incorporations, presented the following report, which was adopted:

To the Honorable the Council of the Territory of Nebraska:

Your committee on Incorporations to whom was referred,

H. F. No. 85, entitled a bill for an act to incorporate the town of La Loup in Loup county, respectfully report the same back and recommend its passage without amendment.

Your committee also report back

C. Bill No. 42, entitled A bill to incorporate the Nebraska Land and Emigration company, and recommend the passage of the same with the following amendment:

Add to section 7, Provided that nothing herein shall be construed to give the Incorporation the privilege of banking.

Your committee have also considered:

C. Bill No. 84, entitled An act to incorporate the Nebraska Settlement company; and recommend that the bill be amended by striking out section 4, and that the bill do pass.

Your committee on Incorporations have considered:

H. F. No. 49, entitled An act to establish a ferry across the Platte river; and recommend that section one be so amended as to read: "At the mouth of the Elk Horn river or at any point above the foot of Hileman's Island in the Platte river and within three miles above the mouth of the Elk Horn river." And your committee also recommend the following amendment accompanying the bill as an additional section to be entitled section 3, and that sec. 3 be entitled sec. 4, and that the bill pass.

S. M. KIRKPATRICK, chairman.

C. Bill No. 122, entitled An act to provide for taking the census for the year 1857, was taken up.

Mr. Miller offered the following amendment:

Strike out the first day of November next, and insert the first day of August A. D. 1858, and shall make return thereof to the county clerk before the first Monday in September of the same year.

Ayes and nays were demanded resulting as follows:

Ayes—Messrs. Miller, President, Puett, and Salesbury—4.

Nays—Messrs. Allen, Bradford, Clancy, Furnas, Kirkpatrick, McDonald, Reeves, and Safford—8.

So the amendment was lost.

Mr. Puett moved to refer the bill to a select committee of three.

Lost.

Mr. Salesbury moved its reference to committee on Agriculture,

Lost.

On motion,

The Council took a recess until 2 o'clock P. M.

AFTERNOON SESSION.

Council was called to order by President *protem.*

Council resumed consideration of C. Bill No. 122.

Mr. Bradford moved a call of the House.
Messrs. Clancy, McDonald and President were found absent.
The Sergeant-at-Arms was dispatched for the absentees.
Messrs. Clancy and McDonald appeared and took their seats.
On motion,
All further proceedings under the call were dispensed with.

Question recurring on the passage of the bill,
The ayes and nays were demanded and resulted,
Ayes—Messrs. Allen, Bradford, Clancy, Furnas, Kirkpatrick, McDonald, Reeves, and Safford—8.
Nays—Messrs. Miller, President, Puett, and Salesbury—4.
So the bill passed, and
On motion,
The title was agreed to.

The following message was received from the House :

Mr. President:

I have to inform your honorable body that the House have passed;
H. F. No. 40, entitled An act to charter the Omaha and Chicago Bank;
And respectfully ask the concurrence of the Council therein.
I also herewith return you,
C. Bill No. 13, entitled An act to iucorporate the Clinton Bank; and
C. Bill No. 34, entitled A bill to charter the Bank of Plattsmouth;
The same having passed the House without amendment.

S. M. CURRAN, Chief Clerk.

Mr. Reeves, chairman of the committee on Enrolled and Engrossed Bills, presented the following report, weich was adopted :

The committee on enrolled and engrossed bills respectfully beg leave to report that

C. Bill No. 127, entitled an act to incorporate the town of Forest city; is sufficiently perfect without engrossment, and that

C. Bill No. 92, entitled an act to dissolve the bonds of matrimony between Obediah J. Niles and Hannah Niles;

C. Bill No. 66, entitled An act to authorize Samuel L. Campbell and Henry C. Rariden, to establish a ferry at the town of Laniere opposite the mouth of St. James River, in the Territory of Nebraska;

C. Bill No. 42, entitled An act to establish the county of L'eau-qui-court;

C. Bill No. 69, entitled An act to repeal certain acts of the Legislative

Assembly of Nebraska passed at the first session of said Legislative Assembly; and

C. Bill No. 98, entitled A bill for an act to incorporate Pappillion Mill company; are correctly enrolled;

All of which is respectfully submitted.

MILLS S. REEVES, chairman.

C. Bill No. 127, entitled An act to incorporate the town of Forest city;
C. Bill No. 116, entitled An act for the relief of D. L. McGary,
Were passed and the title agreed to.

C. B. No. 93, was taken up.
Mr. Salesbury moved its reference to a select committee,
Which was lost.
On motion,
Sec. 16 was stricken out.

H. F. No 39, entitled An act to incorporate the Sauntee Land and Ferry company; was taken, read second and third time, passed and title agreed to.

H. F. No 9, entitled An act to charter the Bank of Tekama in Burt county; was read a third time,

Ayes and nays were demanded on its passage, resulting as follows:

Ayes—Messrs. Allen, Bradford, Clancy, Furnas, Kirkpatrick, McDonald, Rogers, Safford, and Salesbury—9.

Nays—Messrs. Miller, Puett, President, and Reeves—4.

So the bill was passed, and
On motion,
The title was agreed to.

C. Bill No. 121, entitled A bill for an act to authorize the city council of Nebraska city to reduce the width of Kansas street; was read second and third time, passed and title agreed to.

H. F. No 34, entitled A bill to create the office of Territorial Reporter; was read second and third time, passed, and
On motion,
Title agreed to.

On motion of Mr. Miller,

H. F. No. 46, entitled An act to authorize S. N. Mahon to keep a ferry across the Missouri river at La Platte in Douglas county, Nebraska Territory, was read first time, rule suspended, read second and third time, passed, and title agreed to.

Mr. Furnas, chairman of the committee on Highways, Bridges and Ferries, presented the following report:

The committee on Highways, Brtdges and Ferries, to whom was referred:
H. F. No. 42, entitled a bill for an act to establish a Ferry at Buchanan;
H. F. No. 43, entitled a bill for an act to establish a Territorial Road from the mouth of Papillon to Omaha;

H. F. No. 16, entitled an act to authorize Slaughter and Shaffer to keep a ferry at the mouth of the Platte river;

C. Bill No 124, entitled An act to locate a Territorial Road from Plattsmouth to New Fort Kearney;

Have had the same under consideration and report the same back with the following amendments and recommend their passage as amended, viz:

In H. F. No. 16, sec. 1, strike out the words "from the mouth up to a point ten miles by said river below the foot of Cedar Island," and insert "within ten miles above the mouth."

In H. F. No. 42, sec. 1, 8th line, strike out the word "five" and insert the word "two."

Also your committee on Highways, Bridges and Ferries, to whom was referred:

C. Bill No 120, entitled An act to incorporate the Platte Ford Ferry company.

C. Bill No. 118, entitled An act to locate a Territorial Road from Omaha city via Fontenelle to Manhattan;

Have had the same under consideration and report back with the following amendments and recommend their passage as amended, viz:

In C. Bill No. 120, sec. 3, sixth line, strike out the word "four" and insert the word "two."

Respectfully submitted,

R. W. FURNAS, chairman.

H. F. No. 16, entitled an act to authorize Slaughter and Shezler to keep a Ferry at the mouth of the Platte river; was passed, and,

On motion,

Title agreed to.

The following bills were taken up, passed and, on motion, title agreed to.

C. Bill No. 73, entitled An act to charter a ferry across the Missouri river opposite Menona city, Iowa;

C. Bill No. 94, entitled An act to incorporate the Ft. Calhoun and Iowa ferry;

C. Bill No. 54, entitled An act relating to the observance of the Sabbath and the protection of religious worship;

C. Bill No. 74, entitled an act to establish a Ferry across the Elk Horn river at Golden Gate;

C. Bill No. 105, entitled A bill for an act to incorporate the Blayburg Town and Ferry company;

C. Bill No 97, entitled An act to incorporate the town of Marietta;

C. Bill 81, entitled an act to incorporate the Florence and Omaha Omnibus Line;

C. Bill No. 109, entitled an act to relocate county seats;

C. Bill No. 102, entitled An act to incorporate the Nebraska University of the Homeopathic, Healing, Art and Law Institution at Wyoming, N. T.;

C. Bill No. 96, entitled An act to incorporate the town of Manchester;

H. F. No 28, entitled An act to incorporate the Fort Calhoun manufacturing company;

H. F. No 38, entitled An act to incorporate the Dodge county Agricultural Society;

H. F. No 24, entitled An act to define the boundaries of Cuming county and change the name of the county seat thereof;

H. F. No. 82, entitled a bill for an act to incorporate the St. Mary's Female Academy;

H. F. No. 29, entitled a bill for an act to incorporate the Masonic Hall association of Capital Lodge Omaha city.

On motion,

The clerk was instructed to inform the House that there was no amendment made by the Council to

H. F. No. 9, entitled an act to charter the Bank of Tekamah.

On leave,

Mr. Miller, chairman of committee on Printing, reported:

C. Bill No. 132, Joint Resolution relative to the printing of the Laws and Journals.

On motion,

Rule was suspended, the bill was read first, second and third time, passed and title agreed to.

On leave,

Mr. Kirkpatrick, presented the following resolution:

Resolved by the Council and House concurring, That the Legislative Assembly adjourn without day on Friday next 13th at 10 o'clock A. M.

On leave,

Mr. McDonald presented a petition from citizens of Richardson county praying for the establishment of the county seat of said county.

C. Bill No. 93, entitled An act to incorporate the Missouri river aud Nebraska Railroad company; was taken up and

On motion,

First section was amended by inserting the names of Wm. T. Finch, A. D. Williams, and D. O. Finch.

The bill was passed and title agreed to.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
February, 10th, 1857.

Mr. President:

I have to inform your honorable body that the House have passed,

H. F. No. 99, entitled A bill for an act to incorporate the Central city and Land company;

H. F. No. 56, entitled a bill for an act to locate the seat of justice of Gage county;

H. F. No. 101, entitled an act to locate and establish a territorial Road from the crossing of the Big Papillon at McCardles to the Elk Horn river south of Elk Horn city;

H. F. No. 121, entitled An act to establish a teritorial road from Bellevue to a point on the Platte river;

H. F. No 69, entitled An act to incorporate the Pawnee and Platte river Ferry and Bridge company;

H. F. No 23, entitled An act to define the boundaries and locate the seat of justice of Platte county;

H. F. No. 58, entitled An act to incorporate a ferry across the Missouri river at Point Lesa;

H. F. No 46, entitled An act to authorize S. N. Mahon to keep a Ferry across the Missouri river in Douglas county;

H. F. No 71, entitled An act to organize the county of Cedar, to define the boundaries and locate the county seat thereof;

H. F. No. 53, entitled An act to incorporate the Point Lesa Land company; and

H. F. No 61, entitled An act to establish a Ferry at Central city in Burt county.

And the concurrence of the Council is requested therein.

And I have to inform you that

C. Bill No. 26, entitled An act to incorporate the Oak Bluffs Town and Ferry company;

Have passed the House without amendment.

I have to inform you that C. Bill No. 17, has passed the House with the following amendments:

In section 1, amend by striking out "E. W. M'Comas and Thomas Beach" and insert "Thomas Patterson, H. H. Fowler, Abraham Towner, Cezard J. Clemons, B. R. Pegram, John J. Baldwin, Wm. Miller, J. S. Seaton, and J. A. Potter.

In sectien 2, insert after the word "dollars" "which may be increased by the stockholders of said company to any amount not exceeding ten millions of dollars;" and

In section (6) strike out the names of J. Brown, E. W. McComas, J. N. Beatty, A. A. Bradford, and insert the names of Thomas Peterson, H. H. Fowler, R. W. Stafford, B. R. Pegram.

And the concurrence of the Council is requested.

S. M. CURRAN, chief clerk.

The following message was received from the Governor:

Mr. President:

I am instructed by the Governor to inform your honorable body that he has signed and approved the following bills, viz:

An act entitled, an act to authorize C. M. McDonald to erect a Mill-dam;

An act entitled, an act to incorporate the Waterville Town and Manufacturing company;

An act entitled, an act to incorporate the Rock Bluffs Seminary;

An act entitled, an act to incorporate the town of Salem in Richardson county, N. T.;

A Joint resolution and memorial relative to a grant of land to the Trustees of Simpson University and Nebraska city Collegiate and Preparatory Institute;

An act entitled, an act to lay out and establish a Territorial Road from Nebraska city to Omaha city.

JOHN C. TURK, Private Sec'y.

Message from the House was taken up

On motion,

The House amendments to H. F; No. 18; were concurred in

On leave,

Mr. McDonald presented

C. Bill No. 133, entitled An act supplementary to an act to provide for the permanent location of the seat of justice of Richardson county; read first time, rule suspended, read second and third time by its title, passed and

Titled agreed to.

H. F. No. 71, entitled A bill for an act to organize the county of Cedar to define the boundaries and locate the seat of justice thereof; was read first time, rule suspended read a second and third time by title, passed, and

Title agreed to.

Mr. Kirkpatrick chairman of committeee on Incorporation reported back:

C. Bill No. 106, and recommend its passage.

C. Bill No. 131, entitled An act to incorporate the Missouri river and Ft. Kearney Railroad Company.

Passed and title agreed to.

H. F. No. 128, entitled A bill to define the limits of Judicial Districts of the Territory of Nebraska and fixing the time of holding courts.

H. F. No. 99, entitled A bill for an act to incorporate Central city and Land company;

H. F. No. 101, entitled An act to locate and establish a Territorial Road from the crossing of the Big Pappillon at McCardwells to the Elk Horn river south of Elkhorn city;

H. F. No. 69, entitled An act to incorporate the Pawnee and Platte river Bridge and Ferry company;

H. F. No. 53, entitled An act to incorporate the Point Lesa Land company; and,

H. F. No. 58, entitled An act to incorporate a Ferry company across the Missouri river at Point Lesa;

Passed and title agreed to.

H. F. No. 61, entitled An act to establish a Ferry at Central city in Burt county; was read first time.

H. F. No. 23, entitled An act to define the boundaries and locate the seat of justice of Platte county; was indefinitely postponed.

H. F. 121, entitled An act to establish a Territorial Road from Bellevue to a point on Platte River; was read first time, rule suspended, read second and third time;

Passed and title agreed to.

H. F. No. 20, entitled An act to restrain sheep and swine from running at large; was read first time, rule suspended, read a second time and referred to committee on Agriculture.

C. Bill No 118, entitled An act to locate a Territorial Road from Omaha city via Fontenelle to Manhattan in Cuming county.

C. Bill No. 124, entitled An act to locate a Territorial Road from Plattsmouth to New Ft. Kearney; and,
H. F. No. 43, entitled "A bill to establish a Territorial Road";
Were passed and title agreed to.

C. Bill No. 120, entitled An act to incorporate the Platte Ford Ferry company; was ordered engrossed for a third reading to-morrow.

Mr. Miller presented the following resolution:
Resolved, That the Chief clerk be and is hereby appointed to superintend the indexing and proof reading of the Journals of the Council for this Session and that he be allowed therefor the sum of four hundred dollars to be paid out of the Territorial Treasury.
Which was adopted.

H. F. No. 56, entitled A bill for an act to locate the seat of justice of Gage county; was read first time, rule suspended, read second and third time by title;
Passed and title agreed to.

Message from the Governor:
Mr. President:—
I am instructed by the Governor to inform your honorable body that he has signed and approved A bill entitled an act to incorporate the Central Pacific Railroad company,

JOHN C. TURK, Private Secretary.

OMAHA CITY, N. T.
February 10th, 1857.

The following message was received from the House of Representatives:
Mr. President:—
I herewith return to you,
C. Bill No. 32, entitled A bill for act to incorporate the Pacific Bank of Omadi; also,
C. Bill No. 8, entitled An act to authorize William Clancy and P. C. Sulivan to keep and run a ferry across the Missouri river at De Soto.
The same having passed the House without amendment.

S. M. CURRAN, Chief Clerk.

On motion,
The report of the committee on Highways, Bridges and Ferries; was adopted except the portion to H. F. No. 16.

On leave Mr. Bradford introduced,
C. Bill No. 35, entitled An act to amend an act entitled an act amendatory to an act incorporate Wyoming; which was read first time, rule suspended, read second ann third time by its title,
Passed and title agreed to.

Mr. Clancy introduced,

C. Bill No. 137, entitled An act to create the Missouri Valley Bank; which was read first time.

Mr. Furnas introduced,

C. Bill No. 136, entitled A bill for an act to locate a Territorial Road from Jamison's Mill in Otoe county to Hoover's Mill in Nemaha county; which was read first time, rule suspended, read second and third time by its title,

Passed and title agreed to.

Mr. Kirkpatrick moved to reconsider the vote by which the Council refused to pass Council Bill number 110,

Mr. Miller moved a call of the house,

Messrs. Furnas and Salesbury were absent,

Sergeant at Arms was dispatched for absentees.

On motion,

Further proceedings under the case were dispensed with.

Message from the House:

HOUSE OF REPRESENTATIVES,
February 10th, 1857.

I have to inform your honorable body that the House have passed:

H. File No. 128, entitled A bill to define the limits of the several Judicial Districts of the Territory of Nebraska and fix the terms of the District courts; and the concurrence of the Council is requested.

I have also to inform you that the House have concurred in the amendments to,

H. File No. 10, entitled A bill for an act to establish and define the boundaries of Johnson county;

S. M. CURRAN, chief clerk.

Mr. Reeves chairman of committee on Engrossed and Enrolled bills presented the following report:

Which was adopted.

The committee on engrossed and enrolled bills beg leave to report that

C. Bill No. 61, entitled An act to incorporate the St. James and Minnesota ferry company,

C. Bill No. 85, entitled An act to incorporate the Salem Collegiate Institute;

C. Bill No. 107, entitled An act to incorporate the town of Cuming city,

C. Bill No. 91, entitled A bill for an act to incorporate the Waterville town and manufacturing company;

C. Bill No. 89, entitled A bill for an act to incorporate the Rock Bluff Seminary;

C. Bill No. 77, entitled a bill for an act to incorporate the town of Salem in Richardson county;

C. Bill No. 90, entitled An act to locate a territorial Road from Nebraska city to Omaha city;

C. Bill No. 86, entitled A bill for an act to authorize Charles McDonald to erect a Mill Dam;

C. Bill No. 60, Joint Resolution and Memorial relative to a grant of land to trustees of Simpson University located at Omaha city, and Nebraska city Collegiate and Preparatory Institute; are correctly engrossed.

All of which is respectfully submitted.

MILLS S. REEVES. chairman.

Mr. Miller, moved to lay Mr. Kirkpatrick's motion on the table,

The ayes and nays were demand and resulted:

Ayes—Messrs. McDonald, Miller, Puett, Reeves, Safford, and Salesbury,—6,

Nays—Messrr. Allen, Bradford, Clancy, Furnas, Kirkpatrick, President, and Rogers—7.

Question recurring on Mr. Kirkpatrick's motion,

Ayes and nays were demanded and resulted as follows:

Ayes—Messrs. Allen, Bradford, Clancy, Kirkpatrick, and President—5.

Nays—Messrs. Furnas, McDonald, Miller, Puett, Reeves, Rogers, Safford, and Salesbury—8.

So the motion was lost.

Mr. Reeves chairman of committee on Engrossed and Enrolled bills made the following report:

The committee on engrossed and enrolled bills respectfully beg leave to report that

C. Bill No. 101, entitled a bill for an act to incorporate the Dakotah city collegiate and preparatory institute;

C. Bill No. 8, entitled An act to incorporate the Pacific Bank at Omadi;

C. Bill No. 32, entitled An act to charter the Bank of Plattsmouth;

C, Bill No. 13. entitled An act to incorporate the Clinton Bank; are correctly enrolled,

All of which is respectfully submitted.

MILLS S. REEVES, Chairman.

On motion,

The Council adjourned.

ATTEST, O. F. LAKE. Chief Clerk

WEDNESDAY, FEBRUARY 11, 1857

MORNING SESSION.

Council met pursuant to adjournment.

Prayer by the Chaplain.

Journal read and approved.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,
February, 11th, 1857.

Mr. President:

I herewith return to your honorable body

C. Bill No. 9, entitled An act to amend an act entitled an act to exempt the property of Married Women from execution in certain cases;

C. Bill No. 41, entitled A bill for an act to incorporate the Leau-qui-court company;

C. Bill No. 64, entitled an act to incorporate the Ft. Calhoun and Iowa Ferry company;

The same having passed the House without amendment.

I have also to inform your honorable body that the House has passed

H. F. No. 136, entitled An act to regulate the toll of Grist Mills and proscribing certain duties for millers;

H. F. No. 129, entitled An act to incorporate Pappillon city in Douglas county;

H. F. No. 11, entitled An act to locate the Penitentiary of Nebraska;

H. F. No. 130, entitled An act to incorporate the town of Dayton in Clay county;

H. F. No. 131, An act supplementary to an act to Incorporate South Nebraska city,

H. F. No. 133, entitled An act to amend the city charter of Bellevue;

H. F. No. 135, entitled An act to incorporate the Omaha Medical University and Marine Hospital;

H. F. No. 118, entitled An act to locate a Territorial Road;

H. F. No. 127, entitled An act to amend an act in relation to Elections, approved January 26th, 1856,

And the concurrence of the Council is respectfully requested.

S. M. CURRAN, chief cl'k.

To the Honorable the Council of the Territory of Nebraska:

Your committee on Incorporations respectfully report that they have examined:

H. F. No. 25, entitled an act to incorporate Otoe city, Otoe county; and recommend its passage without amendment.

Your committee have also examined,

H. F. No. 86, entitled An act to incorporate the town of St. John, and recommend the adoption of the same without amendment.

H. F. No. 102, entitled an act to incorporate the town of Bradford in Cass county, and recommend its passage without amendment; also,

H. F. No. 45, entitled An act to establish the Sioux city and Logan Omnibus Line; and recommend its passage without amendment; also,

H. F. No. 98, entitled An act to incorporate the town of Weeping Water Falls; and recommend its passage without amendment; also,

H. F. No. 52, entitled an act to incorporate the town of De Witt; and recommend the passage of the same without amendment;

Also, report back,

H. F. No. 89, entitled an act to incorporate Spring Grove city;

H. F. No. 103, entitled an act to incorporate the town of Iron Bluffs,

Douglas county; report the same back and recommend their passage without amendment.

S. M. KIRKPATRICK, chairman.

The committee on Highways, Bridges and Ferries to whom was referred:

C. Bill No. 125, entitled A bill for an act to establish a Territorial Road from Omaha city to Elk Horn river;

H. F. No. 57, entitled A bill for an act locate a Territorial Road from Florence to Golden Gate;

H. F. No. 59, entitled an act to locate a Territorial Road from Omaha city to Elk Horn city,

H. F. No. 67, entitled an act to locate a Territorial Road from Bellevue to Omaha city, N. T.;

H. F. No. 84, entitled an act to incorporate the Excelsior Town and Ferry company;

H. F. No. 72, entitled an act to locate a Territorial Road from Elk Horn city to Omaha;

H. F. No. 66, entitled An act to establish a Territorial Road from Fremont, Dodge county via Iron Bluffs to Hazleton, Douglas county.

H. F. No. 55, entitled aa act to locate a Territorial Road from Bellevue in Douglas county to Iron Bluffs;

H. F. No. 50, entitled an act to establish a Territorial Road from Omaha city to the mouth of the Elk Horn river;

H. F. No. 35, entitled an act to locate a Territorial Road from Fremont, to Central city;

H. F. No. 68, entitled A bill for an act to locate a Territorial Road from Omaha city to Fairview;

H. F. No. 30, entitled an act to incorporate Delaware city;

Have had the same under consideration, and report back with the following amendment, viz:

H. File No. 84, section 4; strike out the word "five" and insert the word "two."

In H. File No. 50, section 1, strike out the name of "H. B. Thrall" and insert the names ot "Andrew McEwen and Mathew Shields."

And recommend their passage as amended.

Respectfully submitted.

R. W. FURNAS Chairman.

The committee on Enrolled and Engrossed bills respectfully beg leave to report that

C. Bill No. 95, entitled A bill for an act to incorporate Nebraska University at Saratoga;

C. Bill No. 59, entitled A bill for an act to establish a territorial road from Brownville to the Kansas line;

C. Bill No. 79, entitled An act to incorporate the Covington town company;

C. Bill No. 75, entitled A bill for an act to incorporate the town of Laniere;

C. Bill No. 104, entitled A bill for an act to locate a territorial Road from Fontenelle, Dodge county to a point on the Missouri river opposite Cuming city;

C. Bill No. 99, entitled an act to incorporate the Nebraska Medical Society;

C. Bill No. 80, entitled An act supplimentary to an act to authorize Wm. Clancy and P. C. Sullivan to keep and run a ferry across the Missouri at DeSoto;

C. Bill No. 18, entitled An act to incorporate the Missouri river and Pacific Railroad company; are correctly engrossed and enrolled,

All of which is respectfully submitted.

MILLS S. REEVES, chairman.

The Select committee to whom was referred:

House File No. 115,

Having had the same under consideration and recommend its passage with the following amendment:

1st, Amend the title so it will read as follows:

"A Memorial and Joint resolution asking an appropriation to aid in constructing a road from the Great Nemaha Agency Kansas via Omaha city, Omadi, St. Johns and St. James to Ft. Randall in Nebraska Territory."

2d, Strike out "Omaha city, Douglas county," in the 6th line of the 4th paragraph and insert "Great Nemaha Agency Kansas."

Amend the 4th paragraph, add at the end of 5th line "and for conveying the U. S. Mail on route no. 15,002."

A. A. BRADFORD, committee.

Mr. Safford chairman of the committee on Education to whom was referred:

H. F. No. 81, entitled an act to incorporate the University of St. Johns in Dahkotah county; have had the same under consideration and report the same back to the Council without amendment and recommend its passage.

Mr. Bradford chairman of the committee to whom was referred:

H. F. No. 75, entitled an act amendatory to an act authorizing Jacob Noffsinger to keep a ferry; and,

H. F. No. 82, entitled An act regulating the disposal of unclaimed property in certain cases; have had the same under consideration and report them back to the Conncil and recommend their passage without amendment.

Mr. Safford introduced the following resolution,

Resolved, That the Council, the House concurring, adjourn on Friday next Sine die, at eleven o'clock,

Which was adopted.

Mr. Miller moved a call of the House,

Mr. Salesbury absent.

Mr. Salesbury having appeared and taken his seat, all further proceedings under the call were dispensed with.

Mr. Miller moved to reconsider the vote by which the Resolution was adopted,

Which motion was lost.

Mr. Reeves introduced:

C. B. No. 137, Joint Resolution and Memorial in relation to appropriation for building the Capitol;

Which was read first time.

Mr. Salesbury moved that the Council adjourn until to-morrow morning at half-past 10 o'clock,

On which motion,

The ayes and nays were ordered and resulted as follows:

Ayes—Messrs. Bradford, Furnas, Kirkpatrick, Puett, President, Rogers, Safford and Salesbury—8.

Nays—Messrs. Allen, and McDonald—2.

So the Coundil adjourned.

ATTEST, O. F. LAKE, chief clerk.

THURSDAY, FEBRUARY 12, 1857.

MORNING SESSION.

Council met pursuant to adjournment.

Prayer by the Chaplain.

Journal read and approved.

The following message was received from the Governor:

To the Council:

An act entitled, an act to incorporate the Pacific Bank of Omadi;
An act entitled, An act to incorporate a bank at De Soto, Washington co.;
An act entitled, an act to incorporate the Bank of Columbus;
An act entitled, an act to charter the Bank of Plattsmouth;
An act entitled, an act to incorporate the Clinton bank;

Have severally been presented to me for my approval, all of which have received at my hands that careful examination and due deliberation which every measure vitally affecting the interests of the Territory demand. And while I regret that any circumstances or class of circumstances should arise to prevent my hearty co-operation with the Legislative Assembly in all measures calculated to promote the common interests of the Territory, a high sense of duty to the whole countrp, which with me rises superior to every personal consideration, compels me to difier with your honorable body as to the policy of establishing any more banks at this time.

I might here with propriety enter into an argument to demonstrate the pernicious effects of a Banking System carried beyond the limits of the public necessities as they have developed themselver in various portions of our country, and with which all are familiar; but suffice it to say that my honest convictions are that the measure under consideration would have a tendency to cast a blight upon the hopes and prospects of our people more withering and deadly than that of the poisonous Upas. So convinced, were I to shrink

from a fearless and faithful discharge of the duty thus imposed upon me, I should justly merit the contempt and condemnation of all honorable men, acting as I do upon the principal, sanctified by the patriotism of the nation, that it is better one man should die for the State than that all should perish, I most cheerfully take the responsibility of withholding my signature from the above recited bills: and herewith respectfully return them to the Council the house in which they originated for reconsideration.

MARK W. IZARD.

EXECUTIVE OFFICE, Omaha City, }
February 11th, 1857. }

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
February 12, 1857. }

Mr. President:—

I have to inform your honorable body that the House have passed:

H. F. No. 137, entitled A bill for an act to establish the seat of justice of Johnson county;

H. F. No. 14, entitled A bill for an act to establish the county of Calhoun.

I also to return to your honorable body:

C. Bill No. 133, entitled An act supplementary to an act to provide for the permanent location of the seat of justice of Richardson county;

The same having passed the House without amendment.

S. M. CURRAN, chief cl'k.

On leave Mr. Clancy introduced

C. Bill No. 138, entitled An act to locate a Territorial road; which was read first time, rule suspended, read second and third time, pased and Title agreed to.

Mr. Reeves reported back

C. Bill No. 16, entitled A bill for an act to locate a Territorial Road therein named; correctly engrossed,

Said bill was taken up, read a third time, passed, and Title agreed to.

Mr. Puett chairman of the committee on Expenditures to whom was referred:

C. Bill No. 14, entitled A bill for an act providing for the payment of code commissioners and clerks; reported the same back to the Council and recommended the passage of the bill.

Mr. Rogers chairman of the committee on Agriculture, to whom was referred:

H. F. No. 20, entitled An act to restrain sheep and swine from running at large in the counties of Cass, Nemaha and Otoe; report the same back and recommend its passage.

Also your committee have examined:

C. Bill No. 129, entitled An act enclosures trespassing of animals and partition fences: and report the same back and recommend its reference to committee of the whole house.

The committee on Engrossed and Enrolled bills respectfully beg leave to report that:

C. Bill No. 120, entitled An act to incorporate the Platte Ford Ferry company; is correctly engrossed.

C. Bill No. 9, entitled An act to amend an act entitled an act to exempt the property of married women from execution in certain cases;

C. Bill No. 112, entitled An act to incorporate the Platte Valley Insurance company of Bellevue;

C. Bill No 117, entitled An act to incorporate the Omadi Collegiate Institute;

C. Bill No. 64, entitled An act to incorporate the Fontenelle Bridge and Ferry company;

C. Bill No. 41, entitled An act to incorporate the Leau-qui-court company.

C. Bill No 42, entitled An act to establish the county of L'eau-qui-court; are correctly enrolled.

All of which is respectfully submitted.

MILLS S. REEVES, chairman.

Your committee to whom was referred so much of the Governors Message as relates to the election of James Buchanan and John C. Breckenridge to the offices of President and Vice President of the United States, have had the same under consideration and respectfully beg leave to

REPORT:

That they congratulate the country upon the peaceable termination of the late Presidential election, and hope and believe that the choice of the freemen of the country will eventuate in the peace and prosperity of the Republic. But while your committee are of opinion that the country will continue to advance with giant strides in a pecuniary point of view, still they cannot see how or in what manner the great question of Congressional interference in the domestic affairs of the Territories has been settled by the recent election. On the contrary your committee are fully of the opinion that it is just as competent for Congress to Legislate upon the affairs of the Territories now as it ever was, and your committee find, while investigating this subject of interference, that we as a Territory are subject to interference in our domestic affairs from another greater, denominated executive interference, of which we had a recent exhibition in this Legislative hall; your committee merely call the attention of the Council to this matter, hoping that in its wisdom it may devise and apply some remedy if the case is not hopless.

Your committee would beg leave further to report:

That while we have no objection to the election of James Buchanan yet they cannot see that the rights of the South are more secure than if John C. Fremont had been the fortunate candidate; neither do we think that it will be for the interests of the South that her peculiar institution should be secured to her. Seeing that with them and all her superior natural advantages a blight hangs over and eventually cripples and enervates all her energies.

Compare her with those regions of our commonwealth where no such peculiar institutions exist, or as expressed in the Message, constitutional rights, and you find her wofully behind in all those things that constitute our national greatness. Take for instance our internal improvement and we find the North far in advance. Her railroads intersect every nook and corner, affording ingress to every community that her thrifty and enterprising citizens may wish, and egress for every article of produce and manufacturing that they may wish to export.

Look at her again in her agricultural department. While thousands of acres of land in the sunny South, are barren by reason of improper cultivation, and farms are valueless and being abandoned because worn out. No such things are known in the north. Again tell us why it is that the south falls behind in her post-office receipts while the north over pays.

These things being so, it is very doubtful if the securing to the south constitutional rights would be a blessing to any portion of our Union.

Your committee would further remark that in the article under consideration, the Governor seems to think that if the rights of the south are secure that peace, happiness and prosperity would uninterruptedly flow over the vast extent of our fair heritage, this is certainly very gratuitous and one-sided.—The north beyond all dispute has given evidence of a latent power to stand alone and aloof, without aid other than nature upon the face of the earth. The north, however, has a strong affinity with the south, in fact we are but one family, our interests are one, our feelings are one; we think we are specially interested in the well being of the south; her commercial and agricultural interests are one, and to settle down upon out knees upon this vexed question of constitutional rights, would be unkind, unwise and suicidal to the best interests of our brethren who are hitched on to a system that hitherto has proved disastrous; a public functionary in scanning these United States should embrace within his vision the length and breadth of our great and glorious land, and not be so narrow-minded as to suppose that if the rights are secure, all therefore is safe.

Capitol and labor we believe shrink from civil commotion, hence a reason why we believe that all legitimate means in the spirit of brotherly kindness be used to remove from our borders an incubus that is the procuring cause of all the civil commotion that disturbs the peace of a brotherhood that ought to be united by the most indisolvable bonds.

All of which is respectfully submitted.

MILLS S. REEVES,
J. S. ALLEN. } Committee.

Mr. Puett introduced the following resolution:

Which was adopted.

Resolved, That William F. Ward be and he is hereby allowed the sum of two hundred and forty dollars for services rendered as enrolling and engrossing clerk of the Council, and that the Territorial Auditor be and is hereby authorized to issue Territorial Warrants to William H. Ward for the above amount.

Mr. Rogers introduced the petition of William H. Backus relative to restraining Stock from roaming at large in the Elk Horn precinct; which was referred to committee on Judiciary.

Mr. Rogers also presented a petition relative to Temperance; which
On motion,
Was laid on the table for the present.
Mr. Miller introduced:
C. Bill No. 139, entitled An act for the benefit of hotel keepers, which was read first time.
H. F. No. 127, entitled An act to amend an act in relation to elections approved January 26; was read first time, rule suspended read a second time.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
February 12th, 1857.

Mr. President:

I herewith return to your honorable body,
H. F. No. 9, entitled An act to charter the Bank of Tekamah;
The same having passed the House over the Governor's veto; also,
I am instructed to return to your honorable body,
C. Bill No. 93, entitled An act to incorporate the Missouri river and Nebraska railroad company; for engrossment.

S. M. CURRAN, chief cl'k.

The following message was received from the Governor:

OMAHA CITY,
February 12th, 1857.

Mr. President:—

I am instructed by the Governor to inform your honorable body that he has signed and approved the following bills, viz:
An act entitled an act to incorporate the Platte Valley Insurance company of Bellevue, N. T.;
An act entitled an act to incorporate the Leau-qui-court company;
An act entitled an act to incorporatethe Omadi collegiate institute;
An act entitled an act to incorporate the Missouri River and Pacific railroad company;
An act entitled an act to amend an act entitled an act to exempt the property of married woman from execution in certain cases.

JOHN C. TURK, Private Secretary.

Mr. Kirkpatrick moved that the bill under consideration be referred to to committee on Judiciary.
Mr. Safford moved a recess until 3 o'clock,
Lost.
Mr. Allen moved a recess until 1 o'clock,
Lost.
Mr. Salesbury moved a recess until 1 o'clock,
Lost.
Mr. Puett moved a recess until 2 oclock,
The Ayes and nays were demanded and resulted as follows:
Ayes—Messrs. Allen, Furnas, Miller, President, Puett, and Rogers—6.

Nays—Messrs. Bradford, Clancy, Kirkpatrick, McDonald, Reeves, Safford, and Salesbury—7.

So the motion was lost.

The following message was received from the Governor:

OMAHA CITY,
Feb. 12th, 1857.

Mr. President:

I am instructed by the Governor to inform you that he has signed and approved the following bills, viz:

An act entitled an act to incorporate the Covington Town company;

An act entitled An act supplementary to an act entitled an act to authorize Wm. Clancy and P. C. Sullivan to keep and run a Ferry across the Missouri river at DeSoto in Washington county;

An act entitled an act to incorporate the University of Nebraska at Saratoga;

An act entitled an act to incorporate the Nebraska Medical Society;

An act entitled an act to locate and establish a territorial road from Brownville to Kansas line;

An act entitled an act to locate a Territorial Road from Fontenelle to a point on the Missouri river opposite Cuming city Washington county;

An act entitled an act to incorporate the town of Leman, Gage county.

JOHN C. TURK.

Mr. Rogers moved a recess until 3 o'clock,
Lost.
Mr. Puett moved a recess until 2 o'clock,
Lost.
Mr. Safford moved a recess until half-past 1 o'clock,
Carried.

AFTERNOON SESSION.

President in the chair.

Mr. Rogers moved a call of the house,
Messrs. Bradford and Clancy were absent,
On motion,
The sergeant at arms was dispatched after absentees,
The absentees having appeared,
On motion,
All further proceedings under the call dispensed with.

Mr. Rogers introduced the following amendment: Strike out "chief justice" and insert "Secretary of the Territory."

Mr. Clancy absent,
On motion,
The sergeant at arms was dispatched after the absentee.

Question recurring on the amendment,
The ayes and nays were demanded and resulted,
Ayes—Messrs. Miller, Rogers, and Salesbury—4.
Nays—Messrs. Bradford, Clancy, Furnas, Kirkpatrick, McDonald, President, Reeves, and Safford—8.
So the amendment was lost.

Question recurring on the motion of reference,
The motion was lost.
On motion,
The bill was then read passed, and
Title agreed to.

Mr. Reeves chairman of the committee on engrossed and enrolled bills reported:

C. Bill No. 93, entitled An act to incorporate the Missouri river and Nebraska railroad company; correctly engrossed;

C. Bill No. 71, entitled An act to incorporate the City of Woodville; correctly enrolled.

Mr. Salesbury moved to take up the Governor's veto message,
Which was agreed to.

C. Bill No. 2, entitled An act to incorporate the Bank of DeSoto, Washington county; was taken up

Question recurring on the passage of the bill, over the Governor's veto;
The ayes and nays were demanded and resulted,
Ayes—Messrs. Bradford, Clancy, Furnas, Kirkpatrick, McDonald, President, Reeves, Safford, and Salesbury—9.
Nays—Messrs. Allen, Miller, Puett, and Rogers—4.
So the bill passed.

C. Bill No. 32, entitled An act to incorporate the Pacific Bank of Omadi; was taken up.

Question recurring on the passage of the bill over the Governor's veto,
The ayes and nays were demanded and resulted,
Ayes—Messrs. Bradford, Furnas, Kirkpatrick, McDonald, Reeves, Safford, and Salesbury—7.
Nays—Messrs Allen, Clancy, Miller, President, Puett, and Rogers—6.
So the motion was lost.

C. Bill No. 34, entitled An act to charter the Bank of Plattsmouth; was taken up,

Question recurring on the passage of the same over the Governor's veto:
The ayes and nays were demanded and resulted,

Ayes—Messrs. Bradford, Clancy, Furnas, Kirkpatrick, McDonald, President, Reeves, Safford, and Salesbury—9.

Nays—Messrs. Allen, Miller, Puett, and Rogers,—4.

So the bill passed,

Mr. Clancy moved to reconsider the vote by which C. Bill No. 32, was lost:

The ayes and nays were demanded and resulted:

Ayes—Messrs. Bradford, Clancy, Furnas, Kirkpatrick, McDonald, Reeves, Safford, and Salesbury—8.

Nays—Messrs. Allen, Miller, President, Puett, and Rogers—5.

So the motion prevailed:

Question recurring on the passage of the bill,

The ayes and nays were demanded resulting,

Ayes—Messrs. Bradford, Clancy, Furnas, Kirkpatrick, McDonald, Reeves, Safford, and Salesbury—8.

Nays—Messrs. Allen, Miller, President, Puett, and Rogers—5.

So the passage of the bill was lost.

C. Bill No. 13, entitled An act to incorporate the Clinton Bank; was taken up,

Question recurring on the passage of the bill over the Governor's veto:

Ayes and nays were demanded and resulted:

Ayes—Messrs. Bradford, Clancy, Furnas, Kirkpatrick, McDonald, Reeves, Safford, and Salesbury—8.

Nays—Messrs. Allen, Miller, Puett, President, and Rogers—5.

So the motion was lost.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
February, 12th, 1857.

Mr. President:

I have to inform your honorable body that the House have passed,

C. Bill 24, entitled A bill relative to banking; the same having passed the House without amendment.

S. M. CURRAN, chief clerk.

C. Bill No. 8, entitled An act to incorporate the Bank of Columbus; were taken up,

Question recurring on the passage of the same,

The ayes and nays were demand and resulted:

Ayes—Messrs. Bradford, Clancy, Furnas, Kirkpatrick, McDonald, Reeves, Safford, and Salesbury,—8,

Nays—Messrs. Allen, Miller, President, Puett, and Rogers—5.

So the bill was lost.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
February 12th, 1857.

I have to inform your honorable body that the House have passed :

C. Bill No. 88, entitled A bill for an act providing for interest on Territorial Warrants;

The same having passed the House without amendment.

C. Bill No. 33, entitled An act to amend an act entitled an act to authorize Religious Societies to elect officers and hold property; approved January 26th 1856;

Has passed the House with this amendment, to wit;

By striking out the words "and other property" and insert instead "on property of any kind for the purposes of church extension or building or the support of ministers"; and recommecd,

I have also to inform your honorable body that the House have passed

H. F. No. 109, entitled A bill to establish a Ferry at Nebraska city;

H F. No. 41, entitled A bill for an act providing for the collection of the Revenue; and,

H. F. No. 125, entitled An act to authorize N. J. Sharp and his associates to establish and keep a Ferry across the Missouri river at Rulo city, N. T.;

And the concurrence of the Council is requested therein.

S. M. CURRAN, chief clerk.

MESSAGE FROM THE GOVERNOR:

OMAHA CITY, N. T.
February 12th, 1857.

Mr. President:—

I am instructed by the Governor to inform your honorable body that he has signed and approved the following bill:

An act entitled an act to incorporate the Dakotah Collegiate and Preparatory institute.

JOHN C. TURK, Private Sec'y.

Mr. Rogers having taken the chair.

The President moved that the vote by which

C. Bill No. 34, entitled An act to charter the Bank of Plattsmouth;

Passed, be reconsidered,

On which motion,

The ayes and nays were ordered and resulted as follows:

Ayes—Messrs. Allen, Miller, President, Puett, and Rogers—5.

Nays—Messrs. Bradford, Clancy, Furnas, Kirkpatrick, McDonald, Reeves, Safford, and Salesbury—8.

So the motion was lost.

On motion of Mr. Salesbury,

H. F. No. 9, entitled an act to charter the Bank of Tekamah; was taken up;

Question recurring on its passage over the Governor's veto;

Ayes and nays were demanded resulting as follows:

Ayes—Messrs. Bradford, Clancy, Furnas, Kirkpatrick, McDonald, Reeves, Safford, and Salesbury—8.

Nays—Messrs. Miller, Puett, President, and Rogers—4.

So the bill passed.

Mr. Allen being excused from voting.

H. F. No. 40, entitled An act to charter the Omaha and Chicago Bank; was taken up and read first time;

H. F. No. 129, entitled An act to incorporate Pappillon city in Douglas county;

H. F. No. 133, entitled An act to amend the city charter of Bellevue;

C. Bill No. 150, entitled An act supplementary to an act to incorporate the Fontenelle Bridge and Ferry company;

H. F. No. 118, entitled An act to locate a Territorial Road;

H. F. No. 131, An act supplementary to an act to Incorporate South Nebraska city;

H. F. No. 11, entitled An act to locate the Penitentiary of Nebraska; and,

H. F. No. 59, entitled an act to locate a Territorial Road from Omaha city to Elk Horn city,

Were taken taken up read a first time, rule suspended, read a second and third time, passed, and

On motion,

Titie agreed to.

H. F. No. 130, entitled An act to incorporate the town of Dayton, Clay county; was taken up read first time, rule suspended, read a second time and ordered to a third reading to-morrow.

H. F. No. 135, entitled An act to incorporate the Omaha Medical University and Marine Hospital; was taken up, rule suspended, read first, second and third time, passed and

Title agreed to.

H. F. No. 136, entitled An act to regulate the toll of Grist Mills and proscribing certain duties for millers; was taken up, and

On motion,

Returned to the House for engrossment.

Mr. Miller moved a call of the house,

Messrs. Clancy, Furnas, and McDonald were absent,

The absentees having appeared all further proceedings under the call were ispensed with.

On leave,

Mr. Rogers introduced, Joint Resolution and Memorial for exploring a route to Salt Lake via Fort Laramie and South Pass.

Mr. Kirkpatrick moved its indefinite postponement,

Which was agreed to.

H. F. No. 128, entitled A bill to define the limits of Judicial Districts of the Territory of Nebraska and fixing the time of holding courts; was taken up read a second time, rule suspended, read third time,

Question recurring on the passage of the bill,

Ayes and nays were demanded and resulted:

Ayes—Messrs. Allen, Bradford, Clancy, Kirkpatrick, McDonald, Miller, President, Puett, Rogers, and Salesbury—10.

Nays—Messrs. Furnas, Reeves, and Safford—3.

So the bill passed, and

The title was agreed to.

The following bills were taken up, rule suspended, read second and third time, passed, and

Title agreed to viz:

H. F. No. 66, entitled An act to establish a Territorial Road from Fremont via Iron Bluffs to Hazleton, Douglas county;

H. F. No. 115, Memorial and Joint Resolution asking an appropriation in constructing a road from the Great Nemaha Agency Kansas via Omaha city Omadi, St. Johns, and St. James, to Ft. Randall in Nebraska Territory;

H. F. No. 68, entitled A bill for an act to locate a Territorial Road from Omaha city to Fairview;

H. F. No. 67, entitled an act to locate a Territorial Road from Bellevue to Omaha city, N. T.;

C. Bill No. 106, entitled An act to incorporate Bow city;

H. F. No. 63, entitled An act to incorporate the Nebraska Central Railroad company;

H. F. No. 85, entitled a bill for an act to incorporate the town of La Loup

H. F. No 61, entitled An act to establish a Ferry at Central city in Burt county.

H. F. No. 99, entitled A bill for an act to incorporate the Central city and Land company;

H. F. No. 101, entitled An act to locate and establish a Territorial Road from the crossing of the Big Pappillon at McCardwells to the Elk Horn river south of Elkhorn city;

C. Bill No. 137, Memorial and Joint Resolution relative to appropriations for building the Capitol;

H. F. No. 53, entitled An act to incorporate the Point Lesa Land company; and,

H. F. No. 69, entitled An act to incorporate the Pawnee and Platte river Bridge and Ferry company;

Mr. Allen moved to reconsider the vote by which H. F. 69, was passed,
Which motion was agreed to.

On motion,
The said bill was laid on the table.

MESSAGE FROM THE GOVERNOR:

Mr President:

I am instructed by the Governor to inform your honorable body that he has signed and approved

An act entitled an act in relation to Banking.

JOHN C. TURK, Private Secretary.

House Joint Resolution relative to adjourment; was taken up and

On motion,
Indefinitely postponed.

C. Bill No. 45, entitled An act to incorporate the Nebraska Land and Emigrant company; was taken up, and

On motion,
Referred to committee on Incorporation.

The following bills were taken up, read a third time passed and title agreed to, viz:

H. F. No. 86, entitled An act to incorporate the town of St. John, Dakotah county;

H. F. No. 25, entitled an act to incorporate Otoe city, Otoe county;

H. F. No. 31, entitled An act to incorporate the City of Louisville;

H. F. No. 72, entitled an act to locate a Territorial Road from Elk Horn city to Omaha;

H. F. No. 30, entitled an act to incorporate Delaware city;

H. F. No. 35, entitled an act to locate a Territorial Road from Fremont to Central city;

C. Bill No. 125, entitled A bill for an act to establish a Territorial Road from Omaha city to Chicago on Elk Horn river;

C. Bill No. 84, entitled An act to incorporate the Nebraska Settlement company;

H. F. No, 84, entitled an act to incorporate the Excelsior Town and Ferry company;

H. F. No. 81, entitled an act to incorporate the University of St. Johns in Dahkotah county;

H. F. No. 89, entitled an act to incorporate Spring Grove city;

H. F. No. 103, entitled an act to incorporate the town of Iron Bluffs, in Douglas county;

H. F. No. 52, entitled an act to incorporate the town of De Witt;

H. F. No. 51, entitled an act to locate a Territorial Road from Florence to Columbus via Golden Gate;

H. F. No. 50, entitled an act to establish a Territorial Road from Omaha city to the mouth of the Elk Horn river;

H. F. No. 55, entitled aa act to locate a Territorial Road from Bellevue in Douglas county to Iron Bluffs;

H. F. No. 75, entitled a bill for an act amendatory to an act authorizing Jacob Noffsinger to keep a ferry;

H. F. No. 87, entitled an act regulating the disposal of unclaimed proper- in certain cases;

H. F. No. 102 entitled an act to incorporate the town of Bradford in Cass county;

H. F. No, 45, entitled an act to establish the Sioux city and Logan Omnibus Line;

H. F. No. 98, entitled An act to incorporate the Weeping Water Falls company;

H. F. No. 20, entitled An act to restrain sheep and swine from running at large in the counties of Cass, Nemaha and Otoe;

C. Bill No. 137, entitled An act to create the Missouri Valley Bank; was then taken up,

On motion,

Laid on the table.

On motion,

H. F. No. 109, entitled An act to establish a Fery at Nebraska city;

H. F. No. 137, entitled An act to establish the seat of justice of Johnson county;

H. F. No. 125, entitled An act to authorize N. J. Sharp and associates to keep a Ferry across the Missuri river at Rulo city; were taken up, rule suspended, read first, second and third time, passed, and
Title agreed to.

H. F. No. 75, entitled An act authorizing George Smith to keep a ferry; was taken up, read second time, rule suspended, read a third time, passed and
Title agreed to.

H. F. No. 41, entitled An act providing for collecting the Revenue; was taken up, read first time, rule suspended, read second time, and referred to committee on Judiciary.

H. F. No. 14, entitled An act to establish the county of Calhoun and other purposes; was taken up, rule suspended, read a second time, and referred to committee on Incorporations.

Mr. Kirkpatrick chairman of the committee on Incorporations, reported back,
C. Bill No. 45, entitled An act to incorporate the Nebraska Land and Emigration company;
And recommend that the bill be amended by striking out section seven and by adding to the bill the following;
Provided nothing in this act shall be so construed as to give the company the power and privileges of Banking.
Said bill was ordered engrossed for a third reading to-morrow.

On motion,
Council concurred in the amendments proposed by the House to
C. Bill No. 33, entitled An act to amend an act entitled an act to authorize Religious societies to elect officers and hold property, approved Jan. 26, 1856.

On motion,
C. Bill No. 129, entitled An act concereing enclosures trespassing animals and partition fences; was taken up read second time and referred to select committee consisting of,
Messrs. Allen, Kirkpatrick, and McDonald.

Mr. Reeves chairman of committee on Engrossed bills reported:
C. Bill No. 24, entitled An act in relation to Banking; and
C. Bill No. 88, entitled an act to provide for payment on Territorial Warrants; correctly engrossed.

On motion,
Council adjourn until to-morrow 10 o'clock.

ATTEST, O. F. LAKE, Chief Clerk.

FRIDAY, FEBRUARY 13, 1857.

AFTERNOON SESSION.

Council met pursuant to adjournment.

Prayer.

Journal read and approved.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
February 13, 1857.

Mr. President :—

I herewith return to your honorable body:

C. Bill No. 2, entitled An act to incorporate a Bank at De Soto in Washington county;

The same having passed the House over the Governor's veto.

I also return to you:

C. Bill No. 67, entitled An act to incorporate the town of Laniere, opposite the mouth of St. James river;

C. Bill No. 54, entitled An act relative to the observance of the Sabbath and the protection of Religious worship,

C. Bill No 136, entitled A bill for an act to locate a Territorial Road;

C. Bill No 68, entitled An act to incorporate the Nebraska City Insurance company;

C. Bill 62, entitled An act to establish a Territorial Road from Omaha city to Chester in Lancaster county;

C. Bill No 94, entitled An act to incorporate the Ft. Calhoun and Iowa Ferry company;

C. Bill No. 105, entitled An act to incorporate the Blayburg town and ferry company,

The same having passed the House without amendment; Also,

C. Bill No——, Part of Code;

The same having passed the House with the following amendment:

To the title after the word "Part" insert the words "the third," and recommend its passage as amended.

I have also to inform your honorable body that the House have passed:

H. F. No. 104, entitled A bill for an act to authorize the erection and keeping of a Ferry across the Platte river;

H. F. No. 142, entitled An act to locate a territorial road from Sauntee to Fremont, and from Fremont to the Kansas line;

H. F. No. 141, entitled A bill for an act to establish a Territorial Road from Sauntee to Fremont and other points;

H. F. No. 140, entitled An act to establish a ferry across the Missouri river;

H. F. No. 139, Joint Resolution and Memorial to the President of the United States;

H. F. No. 138, entitled an act to incorporate the town of Logan;

And the concurrence of the Council is respectfully requested.

S. M. CURRAN, chief clerk.

On leave, Mr. Salesbury introduced

C. Bill No. 142, entitled an act for the preversation of deer and other game; read first time, rule suspended, read second time and referred to committee on Military Affairs.

Mr. Bradford chairman of the committee on Judiciary to whom was referred:

H. F. No. 48, entitled an act for the collection of Revenue, reported the same back and recommended its passage without amendment.

C. Bill No. 29, entiled An act to incorporate the Lancaster Salt manufacturring company; was taken up, passed and title agreed to.

H. F. No. 138, entitled An act to incorporate the town of Logan, was taken up, rule suspended, read second and third time, passed and title agreed to.

H. F. No. 139, Joint Resolution and Memorial to the President of the United States, was read first time.

H. F. No. 140, entitled An act to establish a ferry across the Missouri river, was taken up, read first time, and

On motion,

Laid on the table.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE OFFICE, Omaha city,
February 13th, 1857.

To the Council:—

An act entitled An act to repeal certain acts of the Legislative Assembly of Nebraska, passed at the first session of the said Legislative Assembly has been presented to me for my approval.

The bill proposes to repeal all of our criminal laws passed at the first session of the Legislative Assembly, and all that portion of our civil code adopted from the code of Iowa. This might be well enough if the bill itself proposed a substitute or if there was even a probability that a substitute would be passed at the present session of the Legislative Assembly; but in the absence of both I must be allowed to doubt the policy of sweeping away a very large majority of the laws now on the statute book, thus leaving us without any means either to prevent or punish crimes of a statutory nature, and with no means to enforce the simplest civil rights without a resort to the common law.

I therefore respectfully return the bill to the Council, the House in which it originated for its reconsideration.

MARK W. IZARD.

To the Hon. the Council:—

Hour committee on Incorporations to whom was referred:

H. F. Fo. 14, entitled A bill for an act to establish the county of Calhoun and for other purposes;

Respectfully report that they are os opinion that the bill should not pass.—If the bill should become a law there will be a small strip of Territory between Cvlhoun and Lancaster counties not included in any county. Your committee doubt the policy of locating and establishing county seats by Legislative enactment prior to the formation of settlements.

This bill provides for the location of county seats.

Your committee recommend the indefinite postponment of the bill.

All of which is respectfully submitted.

S. M. KIRKPATRICK, chairman.

The committee on Engrossed and Enrolled Bills, beg leave to report that

C. Bill No. 45, entitled An act to incorporate the Nebraska Land and Emigration company; is correctly engrossed, and

C. Bill No. 33, entitled an act to amend an act entitled an act to authorize religious societies to elect officers, and hold property, approved Jan. A. D. 1856; and

C. Bill No. 133, entitled An act supplementary to an act to provide for the permanent location of the seat of justice of Richardson county; are correctly enrolled.

All of which is respectfully submitted.

MILLS S. REEVES, chairman.

H. F. No. 141, entitled An act to establish a Territorial Road from Sauntee to Fremont; was taken up, read first time, rule suspended, read second and third time, passed and title agreed to.

C. Bill No. 129, entitled a bill for an act concerning enclosures, trespassing animals and partition fences, was taken up, read a third time, passed, and title agreed to.

Mr. Salesbury, chairman of the committee on Military Affairs, reported back:

C. Bill No. 42, entitled An act for the protection of deer and other game; and recommended its passage.

On motion,

The bill was read third time.

Ayes and nays were called on its passage, resulting,

Ayes—Messrs. Allen, Clancy, Furnas, Miller, Puett, Rogers, Safford, and Salesbury—8.

Nays—Messrs. Bradford, Kirkpatrick, McDonald, President, and Reeves—5.

So the bill passed.

H. F. No. 42, entitled An act to locate a Territorial Road from Sauntee

to Fremont and from Fremont to Kansas Line; was read first time, rule suspended, read second and third time.

Question recurring on its passage.

It was lost.

H. F. No. 104, entitled an act to authorize the erection and keeping of a ferry across the Platte river, was taken up and read first time.

On motion of Mr. Salesbury,

The Council reconsidered the vote by which

H. F. No. 35, entitled An act to incorporate the Omaha University and Marine Hospital, was passed.

The said bill was then on motion laid on the table.

On leave, Mr. Allen introduced

C. Bill No. 143, entitled An act supplementary to an act entitled an act to prevent the sale of intoxicating liquors; which was read first time, rule suspended, read second and third time, passed and title agreed to.

H. F. No. 130, entitled An act to prevent free negroes from settling in the Territory; was taken up.

Mr. Salesbury moved to lay the bill on the table.

The ayes and nays were ordered and resulted as follows:

Ayes—Messrs. Allen, Clancy, Furnas, Kirkpatrick, Miller, President, Puett, Rogers, Safford, and Salisbury—10.

Nays—Messrs. Bradford, McDonald, and Reeves,—3.

So the bill was laid on the table.

C. Bill No. 139, entitled An act for the protection of hotel keepers, was taken up, and

On motion,

Laid on the table.

C. Bill No. 45, entitled A bill to incorporate the Nebraska Land and Emigrant company;

C. Bill No 120, entitled An act to incorporate the Platte Ford Ferry company.

H. F. No. 130, entitled An act to incorporate the town of Dayton in Clay county;

H. F. No. 31, entitled An act to provide for the collection of revenue;

Were taken up, read third time, passed and title agreed to.

On motion of Mr. Miller,

Council reconsidered the vote by which

H. F. No. 130 was passed.

On motion,

The bill was recommitted to Mr. Allen.

Mr. Miller moved a call of the House.

Messrs. Bradford and Clancy absent.

The absentees having appeared, all further proceedings under the call were dispensed with.

REPORT:

To the Honorable the Council of the Territory of Nebraska:

Your committee on Incorporations to whom was referred:

C. Bill No. 10, entitled An act to charter the Bank of Rock Bluffs;

C. Bill No. 40, entitled A bill for an act to charter the National Bank of Bellevue; and

A bill for an act to charter the Decatur Bank;

Report the same back to the Council and respectfully recommend the indefinite postponement of said bills. When your committee consider that there are already six banks created by legislative enactment in operation in our infant Territory, with an authorized capital of over three millions of dollars, and that application is made to charter some dozen or more additionrl banks, with an aggregate authorized capital of some five millions, your committee are compelled to pause and consider the consequences likely to result to the people of the Territory should more banks to be created.

While the present influx of metallic currency caused by immigration continues, probably no bank failures will occur, but your committee fear that when the influx of specie in the possessson of immigrants diminishes, as it will certainly be the case a few years hence, and when the specie now in the Territory shall be withholden from circulation to pay for the homes of the settler on the public lands, a financial crisis will occur that will ruin the commercial credit of our Territory and result in great losses to our people.

Your committee will not say that banks under all conditions are dangerous or injurious, for your committee believe that it has been demonstrated by experience and observation throughout the entire territory of our government, that the commercial interests of our country require a larger currency than the gold and silver furnished, and that the commercial wants arising from the scarcity of the precious metals can only be supplied by the emission of a paper currency. But although your committee are impelled to the above conclusion, they are of opinion that all issues of bank money should be based upon a deposit of specie in the vault of the banks, or upon United States or States stock deposited with some Territorial or State officers, or by the deposit of title deeds or mortgages on uncumbered real estate.

Your committee are also of opinion that before issuing any bills, all banks should be required to deposit an amount of specie deemed sufficient to redeem any issues that may be presented for redemption.

Your committee cannot discover in the bills under consideration any security to the bill holders, except the individual responsibity of the stockholders. Your committee can easily conceive that under such charter as these under consideration, men of financial ability, honorable and honest withal, may subscribe the requisite amount of stock, organize a bank and issue paper money which may obtain an extensive circulation caused ny public confidence in the honesty and pecuniary ability of the incorporation and stockholders; but your committee can also conceive that after such circulation has obtained, based upon the integrity and ability of the officers and stockholders, the stockholders may escape all liability by transferring their stocks, and should such transfer be made (as it may be) to parties wholly unable to redeem the issues of said bank, the bill holders must suffer a depreciation or final loss of the amounts then held.

S. M. KIRKPATRICK, chairman.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
February 13, 1857.

Mr. President :—

I have to inform your honorable body that the House have passed:

H. F. No. 140, entitled An act supplementary to an act entitled an act to incorporate the Fontenelle Bridge and Ferry company;

H. F. No. ——, entitled An act supplementary to an act to incorporate the town of Wyoming;

And the concurrence of the Council is respectfully requested.

I also return to your honorable body:

C. Bill No. 56, entitled An act to defray the expenses of taking the census of Nebraska;

C. Bill No. 96, entitled An act to incorporate the town of Manchester,

C. Bill No. 138, entitled An act to locate a territorial Road;

C. Bill No. 29, entitled An act to incorporate the Lancaster Salt Manufacturing company;

C. Bill No. 134, Memorial and Joint Resolution in relation to appropriation for building the Capitol.

The same having passed the House without amendment.

S. M. CURRAN, chief clerk.

Question on the adoption of the report,

The ayes and nays were demanded on its passage and resulted as follows:

Ayes—Messrs. Allen, Bradford, Clancy, Furnas, Kirkpatrick. McDonald, Miller, Puett, Reeves, Rogers, Salesbury, and President—10.

Nays—Mr. Safford—1.

So the report was adopted.

Mr. Allen reported back

H. F. No. 130, entitled An act to incorporate the town of Dayton; and recommend its passage.

The bill was then passed, and

On motion,

Its title agreed to.

On motion,

The Governor's veto message was taken up.

C. Bill No. 69, entitled An act to repeal certain acts of the Legislative Assembly of Nebraska, passed at the first session, was considered with the Governor's objections thereto.

The question being shall the bill pass the Governor's veto notwithstanding;

The ayes and nays were ordered and resulted:

Ayes—Messrs. Allen, Bradford, Clancy, Furnas, Kirkpatrick, McDonald, Puett, Reeves, Rogers, Safford, Salesbury, and President—12.

Nays—Mr. Miller—1.

So the bill passed.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
February 13th, 1857.

Mr. President:

I herewith return to your honorable body
Joint Resolution relative to the printing of the Laws and Journals.
The same having passed the House without amendment.

S. M. CURRAN, chief cl'k.

On motion,
The amendment proposed by the House relative to the Code was concurred into.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
February 13th, 1857.

Mr. President:

I have to inform you that the House has passed,
H. F. No. 109, entitled A bill for an act to authorize Jedediah Mills and Amos Gates to erect a mill dam in the Papillon creek.
And the concurrence of the Council is respectfully requested.
Also I herewith return you
A Joint Resolution relative to adjournment, which has passed the House with this amendment:
Strike out "11 o'clock" and insert "10 o'clock."

S. M. CURRAN, Chief Clerk.

H. F. No. 109 was taken up, rule suspended, read second and third time, passed, and title agreed to.

On motion.
The Council concurred in the resolution relative to adjournment.

The committee on Engrossed and Enrolled bills respectfully beg leave to report that
C. Bill No. 94, entitled An act to incorporate the Ft. Calhoun and Iowa ferry;
C. Bill No. 105, entitled A bill for an act to incorporate the Blayburg Town and Ferry company;
C. Bill No. 136, entitled A bill for an act to locate a Territorial Road from Jamison's Mill in Otoe county to Hoover's Mill in Nemaha county;
C. Bill No. 54, entitled An act relating to the observance of the Sabbath and the protection of religious worship;
Are correctly enrolled; and
C. Bill No——, An act respecting practice and proceedings in Courts of Justice and for other purposes; is correct and there is not sufficient time to have the same enrolled.
All of which is respectfully submitted.

MILLS S. REEVES. chairman.

Mr. Furnas moved a reconsideration of the vote by which

C. Bill No 69, entitled An act to repeal certain acts of the Legislative Assembly of Nebraska, passed at the first session of the said Legislative Assembly; passed

The ayes and nays were demanded and resulted,

Ayes—Messrs. Allen, Furnas, Kirkpatrick, Miller, and Puett—5.

Nays—Messrs. Bradford, Clancy, Reeves, Rogers, Safford, Salesbury. and President—7.

So the motion was lost.

The bill entitled An act to incorporate the town of Wyoming, was taken up read first time, rule suspended, read second and third time, passed and title agreed to.

The bill entitled An act supplementary to an act to incorporate the Sauntee Land and Ferry company, was taken up, read first time, rule suspended, read second and third time, passed and title agreed to.

On motion,

Council took a recess until 7 o'clock P. M.

EVENING SESSION.

President in the chair.

MESSAGE FROM EHE HOUSE.

HOUSE OF REPRESENRATIVES,
February 13th, 1857.

Mr. President:

I herewith return to your honorable body,

C. Bill No. 34, entitled A bill to charter the Bank of Plattsmouth;

The same failed to pass in the House over the Governor's veto.

I have also to inform you that the House have passed:

H. F. No 116 1|2, entitled An act amendatory to an act to incorporate the Western University at Cassville in Cass county N. T.

H. F. No, 116, entitled An act to incorporate California city in Otoe county.

H. F. No. 113, entitled An act to establish a Territorial Road from Plattsmouth to Weeping Water Falls in Cass county.

The concurrence of the Council is respectfully requested.

S. M. CURRAN, chief clerk.

The committee on enrolled and engrossed bills respectfully beg leave to report that

C. Bill No. 29, entitled An act to incorporate the Lancaster Salt manufacturing company;

C. Bill No. 62, entitled an act to establish a Territorial Road from Omaha city to Chester in Lancaster county;

C. Bill No. 40, entitled An act supplementary to an act to incorporate the Fontenelle Bridge and Ferry company,

C. Bill No. 56, entitled An act to defray the expenses of taking the census of Nebraska Territory; are correctly enrolled, and that

C. Bill No. 96, entitled An act to incorporate the town of Manchester;

C. Bill No, 67, entitled An act to incorporate the town of Laniere, opposite the mouth of the St. James river; are perfect and have been presented to the Governor without enrollment.

All of which is respectfully submitted.

MILLS S. REEVES, chairman.

MESSAGE FROM THE GOVERNOR.

Mr. President:—

I am instructed by the Governor to inform your honorable body that he has signed and approved the following bills, viz:

An act entitled, an act to provide for interest on Territorial wrrrants;

An act entitled An act supplementary to an act to provide for the permanent location of the seat of justice of Richardson county;

An act entitled An act to amend an act entitled an act to authorize religious societies to elect officers and hold property, approved Jan. 26th, 1856.

JOHN C. TURK, Private Sec'y.

Mr. Safford, chairman of the committee on Education, reported back,

C. Bill No. 87, entitled A bill to allow a premium for killing wolves and wild cats without recommendation.

H. F. No. 116 1-2, entitled An act amendatory to an act to incorporate the Western University at Cassville;

H. F. No. 116, entitled An act to incorporate California city in Otoe county;

H. F. No. 113, entitled An act to establish a Territorial Road from Plattsmouth to Weeping Water Falls in Cass county;

Were taken up, read first time, rule suspended, read second and third time, passed, and title agreed to.

C. Bill No. 87, entitled An act to allow a premium for killing wolves and wild cats, was taken up, and

On motion,

Indefinitely postponed.

On leave, Mr. Bradford introduced,

C. Bill No. 144, entitled An act snpplementary to an act to provide for taking the census of Nebraska; read first time, rule suspended, read second and third time, passed and title agreed to.

Mr. Puett introduced the following resolution,

Resolved, That W. B. Dayton be and is hereby allowed the sum of fifty-four dollars for services rendered the Council as assistant engrossing clerk, and

that the Territorial Auditor be and is hereby authorized to issue territorial warrants to W. B. Dayton for the above amount.

On motion,

The resolution was adopted.

Mr. Bradford introduced C. Bill No. 145, Joint Resolution relative to the time of the laws taking effect; read first time, rule suspended, read second and third time, passed and title agreed to.

Mr. Puett, chairman of committee on Expenditures, reported back C. Bill No. 118, entitled An act to incorporate the Bow city Ferry company; and recommend its indefinite postponement.

Mr. McDonald introduced C. Bill No. 146, entitled An ac to incorporate the town of Jacksonville in Pawnee county; read first time, rule suspended, read second and third time, passed and title agreed to.

Mr. Rogers introduced the following resolution, which was adopted:

Resolved, That the thanks of this Council be tendered to L. L. Bowen for the able, energetic and impartial manner in which he has presided over the Council during the present session.

MESSAGE FROM THE HOUSE.

Mr. President:

I herewith return to your honorable body:

C. Bill No. 16, entitled An act to locate a Territorial Road therein named;

C. Bill No. 124, entitled an act to locate a Territorial Road from Plattsmouth to New Ft. Kearney;

C. Bill No. 125, entitled An act to establish a Territorial Road from Omaha city via Hazleton to Chicago on the Elk Horn river;

C. Bill No 97, entitled An act to incorporate the town of Marietta;

C. Bill No. 116, entitled An act to incorporate Bow city; also,

C. Bill No. 118, entitled An act to locate a Territorial Road from Omaha city via Fontenelle to Manhattan;

The same having passed the House without amendment.

S. M. CURRAN, Chief Clerk.

MESSAGE FROM THE GOVERNOR.

Mr. President:—

I am instructed by the Governor to inform your honorable body that he has signed and approved the following acts, viz:

An act entitled An act to incorporate the city of Woodville;

An act entitled An act for the observance of the Sabbath and the protection of religious worship;

An act entitled an act to incorporate the Blayburg Town and Ferry company;

An act entitled An act to locate a Territorial Road from Jameson's Mill in Otoe county to Hoover's Mill in Nemaha county;

An act entitled an act to incorporate the Ft. Calhoun and Iowa Ferry company;

An act entitled An act to locate a Territorial Road;

The third part of the Code as reported by the codifying commissioners in conformity with the Joint Resolution passed by the Legislative Assembly in 1855, appointing a board of commissioners to propose a code of laws for the government of this Territory, being from chapter one (1) to chapter thirty-eight (38) inclusive.

An act entitled An act to incorporate the Lancaster Salt manufacturing company;

An act entitled An act to establish a Territorial Road from Omaha city to Chester in Lancaster county;

JOHN C. TURK, Private Sec'y.

Mr. Reeves introduced the following resolution, which was adopted:

Resolved, That the thanks of this Council be tendered to O. F. Lake, chief clek, T. H. Robertson assistant clerk, T. Ward, enrolling clerk, Wm. B. Dayton, assistant enrolling clerk, J. T. Collins, chaplain, L. A. Lewis, sergeant-at-arms, Patrick McDonough, fireman, and Philip Armour, page; for the faitful, efficient and courteous manner in which they have discharged the duties of their respective offices during the present session.

On leave,

Mr. Bradford introduced

C. Bill No. 147, entitled An act to define the degree of punishment of offences against the common law; read first time, rule suspended, read second and third time by the title, passed and title agreed to.

H. N. No. 150, entitled An act to incorporate the town of Addison and establish a Ferry at said point; was taken up, read first timei rule suspended, read second and third time by title, passed and title agreed to.

MESSAGE FROM THE GOVERNOR.

Mr. President:—

I am instructed by the Governor to inform your honorable body that he has stgned and approved the following bills, viz:

An act entitled Au act to incorporate the Nebraska city Insurance company;

An act entitled An act to incorporate the Fontenelle Bridge and Ferry company;

An act entitled An act supplementary to an act entitled an act to incorporate the Fontenelle Bridge and Ferry company;

An act entitled An act to locate a Territorial Road therein named:

An act entitled An act to incorporate Bow city;

An act entitled An act to incorporate the town of Marietta.

JOHN C. TURK, Private Secretary.

MESSAGE FROM THE HOUSE.

Mr. President:—

I herewith return to your honorable body:

C. Bill No. 121, entitled A bill for an act to authorize the city council of

Nebraska city to reduce the width of Kansas street and to vacate certain alleys;

C. Bill No. 70, entitled An act to incorporate the Woodville Ferry company;

C. Bill No. 38, entitled An act to locate a Territorial Road from Bellevue via Hazleton and Iron Bluffs to Fremont; also,

C. Bill No. 146, entitled An act to incorporate the town of Jacksonville in Pawnee county;

The same having passed the House without amendment.

S. M. CURRAN, chief clerk.

Joint Resolution and Memorial for an examination of a route to Salt Lake via Fort Laramie was taken up and adopted.

The committee on Engrossed and Enrolled Bills respectfully beg leave to report that

C. Bill No. 132, Joint Resolution relative to the printing of the Laws and Journals, is correct and has been presented to the Governor without enrollment.

C. Bill No. 70, entitled An act to incorporate the Woodville Ferry company is also correct.

C. Bill No. 146, entitled An act to incorporate the town of Jacksonville in Pawnee county, is correctly enrolled.

C. Bill No 124, entitled An act to locate a Territorial Road from Plattsmouth to New Fort Kearney;

C. Bill No. 144, entitled An act supplementary to an act to defray the expenses of taking the census of Nebraska, are correctly enrolled, and

C. Bill No. 38, entitled An act to locate a Territorial Road from Bellevue via Hazleton and Iron Bluffs to Fremont;

C. Bill No. 121, entitled An act to authorize the city council of Nebraska city to reduce the width of Kansas street and vacate certain alleys; are correctly enrolled;

All of which is respectfully submitted.

MILLS. S. REEVES, chairman.

MESSAGE FROM THE GOVERNOR.

OMAHA CITY,
February 13th, 1857.

Mr. President:

I am instructed by the Governor to inform your honorable body that he has signed and approved the following bills, viz:

An act entitled an act concerning enclosures trespassing animals and partition fences;

A Memorial and Joint Resolution to the Senate and House of Representatives of the United States;

An act entitled an act to locate and establish a Territorial Road from Omaha city to Manhattan in Cuming county, via Fontenelle in Dodge county;

An act entitled an act to establish a Territorial Road from Omaha city via Hazleton to Chicago on the Elk Horn river;

A Joint Resolution relative to the taking effect of the Laws;

An act entitled An act to change the time of convening of the Legislative Assembly of the Territory of Nebraska.

JOHN C. TURK, Private Secretary.

On motion, of Mr. Kirkpatrick:

A committee of four were appointed to inform the House that the Council would adjourn at 10 o'clock and to inquire if they had any further communication for the Council.

The committee having discharged their duty appeared and reported,

That the House had further communication to make to the Council.

On motion of Mr. Bradford:

A committee was appointed to inform the Governor that the Council would adjourn at 10 o'clock and to inquire if he had any further communication to make to this body.

The committee having discharged their duty appeared and reported,

That his excellency the Governor had further communication to make to the Council.

MESSAGE FROM THE HOUSE:

HOUSE OF REPRESENTATIVES,
February 13th, 1857.

Mr. President:—

I herewith return to your honorable body,

C. Bill No. 51, Memorial and Joint Resolution to the Senate and House of Representatives of the United States;

C. Bill No. 128, entitled A bill for an act concerning enclosures tresspassing animals and partition fences:

C. Bill No. 145, Joint Resolution and Memorial relative to the time of Laws taking effect:

C. Bill No. 148, entitled an act to defray the expenses for taking the Census of Nebraska for the year 1846.

The same having passed the House without amendment.

S. M. CURRAN, chief clerk.

MESSAGE FROM THE GOVERNOR:

OMAHA CITY,
February 13th, 1857.

Mr. President:

I am instructed by the Governor to inform your honorable body that he has signed and approved the following bills, viz:

An act entitled an act to incorporate the Platte Ford Ferry company;

An act entitled an act to incorporate the town of Jacksonville in Pawnee county;

An act entitled an act to incorporate the Woodville Ferry company;

An act entitled an act to authorize the city council of Nebraska city to reduce the width of Kansas street and vacate certain alleys.

JOHN C. TURK, Private Secretary.

MESSAGE FROM THE HOUSE:

HOUSE OF REPRESENTATIVES,
February 13th, 1857.

Mr. President:

I herewith return to your honorable body,

C. Bill No. 145, entitled an act to change the time of the convening of the Legislative Assembly of the Territory of Nebraska.

The same having passed the House without amendment.

S. M. CURRAN, chief clerk.

MESSAGE FROM THE GOVERNOR:

OMAHA CITY,
February, 13th, 1857.

Mr. President:

I am instructed by the Governor to inform your honorable body that he has signed and approved the following bills, viz:

A Joint Resolution relative to the printing of the Laws and Journals.

JOHN C. TURK, Private Secretary.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
February, 13th, 1857.

Mr. President:

I have to inform your honorable body that the House have passed,

H. F. No. 150, entitled an act to incorporate the town of Addison and establish a Ferry at said point.

S. M. CURRAN, chief clerk.

On leave, Mr. Safford introduced,

C. Bill No. 148, entitled An act to defray the expenses of taking the Census of Nebraska for the year A. D. 1856; which was read first time, rule suspended, read second and third time, passed, and

Title agreed to.

MESSAGE FROM THE GOVERNOR:

OMAHA CITY,
Feb. 13th, 1857.

Mr President:

I am instructed by the Governor to inform your honorable body that he has signed and approved

An act entitled an act to defray the expenses of taking the census of Nebraska.

JOHN C. TURK, Private Secretary.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
February 13th, 1857.

Mr. President:—

I have to inform your honorable body that the House have passed:

C. Bill No. 144, entitled An act supplementary to an act to provide for defraying the expenses of taking the Census.

S. M. CURRAN, chief clerk.

The committee on Enrolled and Engrossed bills respectfully beg leave to report that

H. F. No. 137, Memorial and Joint Resolution in relation to appropriations for building the Capitol;

C. Bill No 68, entitled An act to incorporate the Nebraska city Insurance company of Nebraska city; as correctly enrolled.

C. Bill No. 97, entitled an act to incorporate the town of Marietta;

C. Bill No. 97, entitled An act to incorporate Bow city;

C. Bill No. 16, entitled A bill for an act to locate a Territorial Road therein named;

Are correct, and have been presented to the Governor without enrollment.

All of which is respectfully submitted.

MILLS S. REEVES, chairman.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE OFFICE, Omaha city,
February 13th, 1857.

To the Council:—

I am instructed by the Governor to inform your honorable body that he has signed and approved the following bills:

An act entitled An act to locate a teritorial road from Plattsmouth to New Ft. Kearney;

An act entitled an act to locate a Territorial Road from Bellevue via Hazleton and Iron Bluffs to Fremont.

JOHN C. TURK, Private Sec'y.

Mr. Salesbury introduced,

C. Bill No. 149, entitled an act for changing the time of convening the Legislature; read first time, rule suspended, read second and third time, Passed, and title agreed to.

A committee appeared from the House and informed the Council that the House would adjourn at 10 o'clock.

The committee on engrossed and enrolled bills respectfully beg leave to report that

C. Bill No. —, entitled An act to defray the expenses of taking the census of Nebraska; being a substitute for the original bill which is lost; has been presented to the Governor.

C. Bill No. 129, entitled an act concerning enclosures tresspassing animals and partition fences;

C. Bill No. 118, entitled an act to locate a Territorial Road from Omaha city via Fontenelle to Manhattan in Cuming county;

C. Bill No. 125, entitled an act to locate a Territorial Road from Omaha city via Hazleton to Chicago on the Elk Horn river;

C. Bill No. 145, Joint Resolution relating to the Laws taking effect.

C. Bill No. 149, entitled An act to change the time of convening of the Legislature of the Territory of Nebraska;

Are all either correctly enrolled or being perfect have been presented to the Governor for his sanction without enrollment.

All of which is respectfully submitted.

MILLS S. REEVES, Chairman.

Mr. Miller presented the following resolution:
Which was adopted.

Resolved, by the Council of the Territory of Nebraska; That the sum of forty dollars be allowed Philip Armor for services as Page for the present Session.

A committee appeared from the House informed the Council that the House was ready to adjourn.

Mr. Safford moved a committee be appointed to inform the House that the Council was ready to adjourn.
Which was agreed to.
Safford and Salesbury were appointed.

On motion,
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ATTEST, O. F. LAKE. Chief Clerk

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